General Assembly

Distr.: General
4 March 2016

Seventieth session
Agenda item 72 (*c*)

Resolution adopted by the General Assembly on 23 December 2015

[*on the report of the Third Committee (A/70/489/Add.3)*]

70/233. Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant human rights instruments, and recalling its previous resolutions on the situation of human rights in Myanmar, the most recent of which is resolution 69/248 of 29 December 2014, those of the Commission on Human Rights and those of the Human Rights Council, the most recent of which are resolutions 28/23 of 27 March 2015[3] and 29/21 of 3 July 2015,[4]

Welcoming the report of the Secretary-General on the situation of human rights in Myanmar[5] and the facilitation by the Government of Myanmar of the visits of his Special Adviser to the country from 15 to 20 January, from 24 to 26 February, from 17 to 22 March, from 22 May to 6 June, on 6 and 7 August and from 12 to 16 October 2015,

Welcoming also the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar[6] and the access granted to her during her visits to Myanmar from 7 to 16 January and from 3 to 7 August 2015,

1. *Welcomes* the continued positive developments in Myanmar towards political and economic reform, democratization and national reconciliation, good governance and the rule of law and the efforts to promote and protect human rights, recognizes the scale of the reform effort undertaken to date, and encourages the Government of Myanmar to take further steps to consolidate the progress made and address outstanding concerns;

2. *Also welcomes* the peaceful and competitive conduct of the elections on 8 November 2015, the participation in voting of large numbers of the people of

[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.

[4] Ibid, chap. V, sect. A.

[5] A/70/332 and Corr.1.

[6] A/70/412.

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Myanmar and the efforts made towards ensuring a credible electoral process, commends this significant step towards democracy, encourages the authorities to continue to ensure a transparent approach in subsequent stages of the electoral process, further welcomes the invitation and access given to domestic and international observer organizations to monitor the elections by the Government of Myanmar and the Union Election Commission, and encourages the authorities to implement the recommendations made by those organizations to further strengthen Myanmar's electoral process;

3. *Expresses serious concern* over, and encourages action to address, political disenfranchisement and discriminatory disqualification of candidates, including with respect to members of the Rohingya community and persons belonging to religious and ethnic minorities;

4. *Encourages* continued efforts by parties to engage in early, constructive and inclusive dialogue towards a smooth transition to the next government, and calls upon all stakeholders to cooperate in ensuring that, during the period between the final election announcement and the formation of the next government, there is an atmosphere of calm and restraint, with respect for all human rights and fundamental freedoms, as well as the rule of law;

5. *Stresses* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection under the law;

6. *Calls upon* all actors to sustain the democratic transition of Myanmar by bringing all national institutions, including the military, under a democratically elected, fully representative civilian government;

7. *Welcomes* the steps taken to strengthen good governance and the rule of law, and calls upon the Government of Myanmar to continue such efforts, especially through continued constitutional, legislative, judicial and institutional reform, and recalls the importance of ensuring, including through the revision of laws, that existing and new legislation is fully compatible with democratic principles and human rights obligations and commitments, including, as part of those obligations, the right to freedom of religion or belief, the human rights of women and children and the rights of persons belonging to minorities;

8. *Recalls* the handling of certain demonstrations, and encourages the Government of Myanmar to continue its efforts to fulfil its human rights obligations and commitments to protect the right to freedom of expression, association and peaceful assembly, to create and maintain a safe and enabling environment for civil society and independent media and to take appropriate steps to ensure the safety and security of journalists, civil society activists and human rights defenders and their freedom to pursue their activities;

9. *Welcomes* the recent release of some prisoners of conscience, while urging the Government of Myanmar to resume working with the political prisoner review committee and to fulfil its commitment to the unconditional release of all political prisoners, including those recently detained or convicted, and to provide for the full rehabilitation of former prisoners of conscience;

10. *Urges* the Government of Myanmar to step up its efforts to end remaining human rights violations and abuses, including arbitrary arrest and detention, forced displacement, rape and other forms of sexual violence, torture and cruel, inhuman and degrading treatment, arbitrary deprivation of property, including land, and violations of international humanitarian law in some parts of the country,

and repeats its call upon the Government to take necessary measures to ensure accountability and end impunity;

11. *Welcomes* the signing of the nationwide ceasefire agreement by the Government of Myanmar with eight armed groups as a significant step and as progress towards initiating an inclusive and comprehensive national political dialogue with the objective of achieving lasting peace, encourages the Government and remaining non-signatory ethnic armed groups to continue discussions towards realizing the signing of the agreement, and urges all parties to end violence and to fully implement existing ceasefire agreements, including by protecting individuals against ongoing violations and abuses of human rights and violations of international humanitarian law and by granting safe, timely, full and unhindered humanitarian access to all areas;

12. *Urges* the Government of Myanmar to intensify its efforts to address discrimination, human rights violations, displacement and economic deprivation affecting members of various ethnic and religious minorities and stateless populations, and to counter incitement to hatred and hate speech leading to violence, and expresses concern over the recent enactment of four laws relating to issues of race and religion and continuing concern over the 1982 Citizenship Law;

13. *Calls upon* the Government of Myanmar to ensure the rule of law and to further increase its efforts to promote tolerance and peaceful coexistence in all sectors of society by, inter alia, further facilitating interfaith and intercommunal dialogue, and to issue identity documents that secure the legal status and rights of all former white-card holders in accordance with the Government's international commitments to respect human rights without discrimination of any kind;

14. *Reiterates its serious concern* about the situation of the Rohingya in Rakhine State and of other minorities subject to marginalization and instances of human rights violations and abuses, and calls upon the Government of Myanmar to protect the human rights and fundamental freedoms of all individuals, including persons belonging to the Rohingya minority, to allow for self-identification, to ensure equal access to full citizenship and related rights, including civil and political rights, for all stateless persons, freedom of movement, as well as the safe and voluntary return of internally displaced persons to their communities of origin, and rapid and unhindered access to humanitarian assistance without discrimination, to ensure equal access to services, particularly health and education, the right to marry and birth registration and to undertake full, transparent and independent investigations into all reports of human rights violations and abuses in order to ensure accountability and bring about reconciliation;

15. *Calls upon* the Government of Myanmar to ensure its full cooperation with all parties and to allow full access for humanitarian assistance to affected persons and communities, and in this regard urges the Government to implement the various cooperation agreements not yet implemented, made between the authorities of Myanmar and the international community for the distribution of humanitarian aid to all affected areas, including Rakhine State, without discrimination;

16. *Underlines its strong concern* at the plight of migrants, including asylum seekers, and refugees in the Andaman Sea and the Bay of Bengal and travelling along land routes, and, welcoming the commitment by Governments in the region to provide temporary shelter and protection for refugees, encourages the continued efforts of the Government of Myanmar, other countries in the region, regional organizations and the international community to save lives, to take appropriate measures to prevent and counter trafficking in persons and the smuggling of all

categories of migrants, while extending protections to victims of trafficking and smuggled migrants, and to address the root causes of this migration;

17. *Welcomes* the recent signature by the Government of Myanmar of the International Covenant on Economic, Social and Cultural Rights[2] and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[7] and the Government's progress towards ending the recruitment and use of child soldiers, encourages consideration of the ratification of additional international human rights conventions, including the International Covenant on Civil and Political Rights[2] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[8] also welcomes the engagement of the Government with the United Nations, regional organizations and other actors, and encourages the full implementation of relevant agreements and commitments, notably the 2012 action plan to end and prevent the recruitment and use of children by the armed forces and the commitment to end forced labour by 2015;

18. *Urges* the Government of Myanmar to further facilitate the work of the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar and to grant her unimpeded access to the country, bearing in mind the lack of such access, including to Rakhine State, during her last visit, and to fulfil its commitment, without further delay, to establish a country office with a full mandate and in accordance with the mandate of the United Nations High Commissioner for Human Rights;

19. *Encourages* the international community to continue to support the Government of Myanmar in the fulfilment of its international human rights and international humanitarian law obligations and commitments, the implementation of its democratic transitional process, its economic and social development and its efforts towards achieving lasting peace;

20. *Requests* the Secretary-General:

(*a*) To continue to provide his good offices and to pursue his discussions on human rights, democracy and reconciliation in Myanmar, involving all relevant stakeholders, and to offer technical assistance to the Government of Myanmar in this regard, bearing in mind the considerations contained in his report of 19 August 2015 relating to the future of the mandate of his Special Adviser on Myanmar;[9]

(*b*) To give all assistance necessary to enable the Special Adviser to the Secretary-General on Myanmar and the Special Rapporteur on the situation of human rights in Myanmar to discharge their mandates fully, effectively and in a coordinated manner;

(*c*) To report to the General Assembly at its seventy-first session, as well as to the Human Rights Council, on the progress made in the implementation of the present resolution;

21. *Decides* to remain seized of the matter on the basis of the reports of the Secretary-General and the Special Rapporteur.

82nd plenary meeting
23 December 2015

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[7] United Nations, *Treaty Series*, vol. 2173, No. 27531.

[8] Ibid., vol. 1465, No. 24841.

[9] A/70/332 and Corr.1, para. 45.

General Assembly

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Resolution adopted by the General Assembly on 23 December 2015

[*on the report of the Third Committee (A/70/489/Add.3)*]

70/234. Situation of human rights in the Syrian Arab Republic

The General Assembly,

Guided by the Charter of the United Nations,

Reaffirming the purposes and principles of the Charter, the Universal Declaration of Human Rights[1] and relevant international human rights treaties, including the International Covenants on Human Rights,[2]

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic and to the principles of the Charter,

Recalling its resolutions 66/176 of 19 December 2011, 66/253 A of 16 February 2012, 66/253 B of 3 August 2012, 67/183 of 20 December 2012, 67/262 of 15 May 2013, 68/182 of 18 December 2013 and 69/189 of 18 December 2014, Human Rights Council resolutions S-16/1 of 29 April 2011,[3] S-17/1 of 23 August 2011,[3] S-18/1 of 2 December 2011,[4] 19/1 of 1 March 2012,[5] 19/22 of 23 March 2012,[5] S-19/1 of 1 June 2012,[6] 20/22 of 6 July 2012,[7] 21/26 of 28 September 2012,[8] 22/24 of 22 March 2013,[9] 23/1 of 29 May 2013,[10] 23/26 of 14 June 2013,[10] 24/22 of 27 September 2013,[11] 25/23 of 28 March 2014,[12] 26/23 of 27 June 2014,[13] 27/16 of 25 September 2014,[14] 28/20 of 27 March 2015,[15] 29/16 of 2 July 2015[16] and 30/10 of

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. I.
[4] Ibid., *Supplement No. 53B* and corrigendum (A/66/53/Add.2 and Corr.1), chap. II.
[5] Ibid., *Sixty-seventh Session, Supplement No. 53* and corrigendum (A/67/53 and Corr.1), chap. III, sect. A.
[6] Ibid., chap. V.
[7] Ibid., chap. IV, sect. A.
[8] Ibid., *Supplement No. 53A* (A/67/53/Add.1), chap. III.
[9] Ibid., *Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.
[10] Ibid., chap. V, sect. A.
[11] Ibid., *Supplement No. 53A* (A/68/53/Add.1), chap. III.
[12] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.
[13] Ibid., chap. V, sect. A.
[14] Ibid., *Supplement No. 53A* and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.
[15] Ibid., *Seventieth Session, Supplement No. 53* (A/70/53), chap. II.
[16] Ibid., chap. V, sect. A.

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1 October 2015[17] and Security Council resolutions 2042 (2012) of 14 April 2012, 2043 (2012) of 21 April 2012, 2118 (2013) of 27 September 2013, 2139 (2014) of 22 February 2014, 2165 (2014) of 14 July 2014, 2170 (2014) of 15 August 2014, 2178 (2014) of 24 September 2014, 2191 (2014) of 17 December 2014, 2209 (2015) of 6 March 2015 and 2235 (2015) of 7 August 2015 and the statements by the President of the Council of 3 August 2011,[18] 2 October 2013[19] and 17 August 2015,[20]

Condemning the grave deterioration of the human rights situation and the indiscriminate killing and deliberate targeting of civilians as such, in violation of international humanitarian law, and acts of violence that foment sectarian tensions,

Noting with concern the culture of impunity for serious violations of international humanitarian law and violations and abuses of human rights law committed during the present conflict, which has provided a fertile ground for further violations and abuses,

Recalling that, amid expressions of popular discontent over restrictions on the enjoyment of civil, political, economic and social rights, civilian protests erupted in Dar'a in March 2011, and noting that the excessive and violent oppression of civilian protests by the Syrian authorities, which later escalated to the direct shelling of civilian population areas, fuelled the escalation of armed violence and extremist groups, including so-called Islamic State in Iraq and the Levant (Da'esh),

Expressing outrage at the continuing escalation of violence in the Syrian Arab Republic, which has caused more than 250,000 fatalities, including the killing of many more than 10,000 children, and in particular at the continued widespread and systematic gross violations, as well as abuses, of human rights and violations of international humanitarian law, including those involving the continued indiscriminate use of heavy weapons and aerial bombardments, such as the indiscriminate use of ballistic missiles, cluster munitions, barrel and vacuum bombs and chlorine gas, and the starvation of civilians as a method of combat, which are prohibited under international humanitarian law, by the Syrian authorities against the Syrian population,

Expressing grave concern at the disproportionate use of force by the Syrian authorities against its civilians, which caused immense human suffering and fomented the spread of extremism and extremist groups and which demonstrates the failure of the Syrian authorities to protect its population and to implement the relevant resolutions and decisions of United Nations bodies,

Taking note of the identical letters dated 18 June 2015 addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council, on behalf of 71 Member States, expressing outrage regarding the continued bloodshed and violence against civilians in Syria, caused in particular by the systematic use of barrel bombs,

Expressing grave concern at the spread of extremism and extremist groups, terrorism and terrorist groups, and strongly condemning all violations and abuses of human rights and violations of international humanitarian law committed in the Syrian Arab Republic by any party to the conflict, in particular so-called Islamic

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[17] Ibid., *Supplement No. 53A* (A/70/53/Add.1), chap. II.

[18] S/PRST/2011/16; see *Resolutions and Decisions of the Security Council, 1 August 2011–31 July 2012* (S/INF/67).

[19] S/PRST/2013/15; see *Resolutions and Decisions of the Security Council, 1 August 2013–31 July 2014* (S/INF/69).

[20] S/PRST/2015/15.

State in Iraq and the Levant (Da'esh), militias fighting on behalf of the regime, Al-Qaida-affiliated terrorist groups and other extremist groups,

Expressing support for the work carried out by the Independent International Commission of Inquiry on the Syrian Arab Republic, and strongly condemning the lack of cooperation by the Syrian authorities with the Commission of Inquiry,

Noting with serious concern the observation of the Commission of Inquiry that, since March 2011, the Syrian authorities have conducted widespread attacks against the civilian population as a matter of policy,

Recalling the statements made by the Secretary-General, the United Nations High Commissioner for Human Rights and the special procedures of the Human Rights Council that crimes against humanity and war crimes are likely to have been committed in the Syrian Arab Republic, noting the repeated encouragement by the High Commissioner for the Security Council to refer the situation to the International Criminal Court, and regretting that a draft resolution[21] was not adopted notwithstanding broad support from Member States,

Expressing its deepest concern about the findings of the Commission of Inquiry and also the allegations contained in the evidence presented by "Caesar" in January 2014 regarding the torture and execution of persons incarcerated by the Syrian authorities, and underscoring the need for those allegations and similar evidence to be collected, examined and made available for future accountability efforts,

Expressing concern that the implementation of Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014) remains largely unfulfilled, and noting the urgent need to strengthen efforts to address the humanitarian situation in the Syrian Arab Republic, including through protection of civilians and rapid, safe and unhindered humanitarian access,

Recalling its commitment to Security Council resolutions 2170 (2014) and 2178 (2014),

Alarmed that more than 4.2 million refugees, including more than 2.8 million women and children, have been forced to flee the Syrian Arab Republic and that 12.2 million people in the Syrian Arab Republic, of whom 6.5 million are internally displaced, require urgent humanitarian assistance, which has resulted in an influx of Syrian refugees into neighbouring countries, other countries in the region and beyond, and alarmed at the risk the situation presents to regional and international stability,

Expressing its profound indignation at the death of many more than 10,000 children and the many more injured since the beginning of the peaceful protests in March 2011, and at all grave violations and abuses committed against children in contravention of applicable international law, such as their recruitment and use, killing and maiming, rape and attacks on schools and hospitals, as well as their arbitrary arrest, detention, torture, ill-treatment and their use as human shields,

Expressing its deep appreciation for the significant efforts that have been made by neighbouring countries and other countries in the region to accommodate Syrians, while acknowledging the increasing financial, socioeconomic and political impact of the presence of large-scale refugee and displaced populations in those countries, notably in Lebanon, Jordan, Turkey, Iraq, Egypt and Libya,

[21] S/2014/348.

Welcoming the hosting by the Government of Kuwait of the First, Second and Third International Humanitarian Pledging Conferences for Syria, held on 30 January 2013, 15 January 2014 and 31 March 2015, and expressing its deep appreciation for the significant pledges of humanitarian assistance that have been made,

Welcoming also the efforts of the United Nations and the League of Arab States and all diplomatic efforts to achieve a political solution to the Syrian crisis based on the Geneva communiqué of 30 June 2012,[22] and expressing its full support for the Special Envoy of the Secretary-General for Syria, Mr. Staffan de Mistura,

Expressing its regret that the parties to the conflict in the Syrian Arab Republic, in particular the Syrian authorities, have failed to take advantage of the opportunities to achieve a political solution and form a transitional government with full executive powers based on the Geneva communiqué of 30 June 2012,

1. *Strongly condemns* all violations and abuses of international human rights law and all violations of international humanitarian law committed against the civilian population, in particular all indiscriminate attacks, including the use of barrel bombs in civilian areas and against civilian infrastructure, and demands that all parties immediately demilitarize medical facilities and schools and comply with their obligations under international law;

2. *Deplores and condemns in the strongest terms* the continued armed violence by the Syrian authorities against its own people since the beginning of the peaceful protests in 2011, and demands that the Syrian authorities immediately put an end to all indiscriminate attacks in civilian areas and public spaces, including those involving the use of terror tactics, airstrikes, barrel and vacuum bombs, chemical weapons and heavy artillery;

3. *Also deplores and condemns in the strongest terms* the continued widespread and systematic gross violations of human rights and fundamental freedoms and all violations of international humanitarian law by the Syrian authorities, the Government-affiliated *shabbiha* militias and those who fight on their behalf, including those violations involving the use of heavy weapons, aerial bombardments, cluster munitions, ballistic missiles, barrel bombs, chemical weapons and other force against civilians, as well as the starvation of the civilian population as a method of combat, attacks on schools, hospitals and places of worship, massacres, arbitrary executions, extrajudicial killings, the killing and persecution of peaceful protestors, human rights defenders and journalists, arbitrary detention, enforced disappearances, violations of women's and children's rights, unlawful interference with access to medical treatment, failure to respect and protect medical personnel, torture, systematic sexual and gender-based violence, including rape in detention, and ill-treatment;

4. *Strongly condemns* all human rights abuses or violations of international humanitarian law by armed extremists, as well as any human rights abuses or violations of international humanitarian law by armed anti-Government groups;

5. *Deplores and strongly condemns* the terrorist acts and violence committed against civilians by so-called Islamic State in Iraq and the Levant (Da'esh) and Al-Nusrah Front and their continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law, and reaffirms that terrorism, including the actions of so-called Islamic State in Iraq and the Levant (Da'esh), cannot and should not be associated with any religion, nationality or civilization;

[22] Security Council resolution 2118 (2013), annex II.

6. *Condemns in the strongest terms* the gross and systematic abuse of women's and children's rights by so-called Islamic State in Iraq and the Levant (Da'esh), in particular the enslavement and sexual abuse of women and girls and the forced recruitment, use and abduction of children;

7. *Reminds* the Government of the Syrian Arab Republic of its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[23] including to take effective measures to prevent acts of torture in any territory under its jurisdiction, and calls upon all States parties to the Convention to comply with any relevant obligations under the Convention, including with respect to the extradite or prosecute principle contained in article 7 of the Convention;

8. *Strongly condemns* the reported persistent and widespread use of sexual violence, abuse and exploitation, including in government detention centres, including those run by the intelligence agencies, and notes that such acts may constitute violations of international humanitarian law and international human rights law, and in this regard expresses deep concern at the prevailing climate of impunity for sexual violence crimes;

9. *Also strongly condemns* all violations and abuses committed against children in contravention of applicable international law, such as their recruitment and use, killing and maiming, rape and all other forms of sexual violence, abductions, denial of humanitarian access and attacks on schools and hospitals, as well as their arbitrary arrest, detention, torture, ill treatment and their use as human shields;

10. *Recalls* the statement made by the Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic on 21 September 2015 that the Syrian authorities remain responsible for the majority of the civilian casualties, killing and maiming scores of civilians daily, reiterates its decision to transmit the reports of the Commission of Inquiry to the Security Council, expresses its appreciation to the Commission of Inquiry for its briefings to members of the Security Council, and recommends the continuation of such briefings;

11. *Reaffirms* the Syrian authorities' responsibility for enforced disappearances, takes note of the assessment of the Commission of Inquiry that the Syrian authorities' use of enforced disappearances amounts to a crime against humanity, and condemns the targeted disappearances of young men, following Government-brokered ceasefires;

12. *Demands* that the Syrian authorities cooperate fully with the Commission of Inquiry, including by granting it immediate, full and unfettered access throughout the Syrian Arab Republic;

13. *Also demands* that the Syrian authorities meet their responsibilities to protect the Syrian population;

14. *Strongly condemns* the intervention in the Syrian Arab Republic of all foreign terrorist fighters and those foreign organizations and foreign forces fighting on behalf of the Syrian regime, particularly the Al-Quds Brigades, the Islamic Revolutionary Guard Corps and militia groups such as Hizbullah, Asa'ib Ahl al-Haq and Liwa' Abu al-Fadl al-Abbas, and expresses deep concern that their involvement further exacerbates the deteriorating situation in the Syrian Arab Republic, including the human rights and humanitarian situation, which has a serious negative impact on the region;

[23] United Nations, *Treaty Series*, vol. 1465, No. 24841.

15. *Also strongly condemns* all attacks against the Syrian moderate opposition, and calls for their immediate cessation, given that such attacks benefit so-called Islamic State in Iraq and the Levant (Da'esh) and other terrorist groups, such as Al-Nusrah Front, and contribute to a further deterioration of the humanitarian situation;

16. *Demands* that all foreign terrorist fighters, including those who are fighting in support of the Syrian authorities, immediately withdraw from the Syrian Arab Republic;

17. *Also demands* that all parties immediately put an end to all violations and abuses of international human rights law and violations of international humanitarian law, recalls, in particular, the obligation under international humanitarian law to distinguish between civilians and combatants and the prohibition against indiscriminate and disproportionate attacks and all attacks against civilians and civilian objects, further demands that all parties to the conflict take all appropriate steps to protect civilians, in compliance with international law, including by desisting from attacks directed against civilian objects, such as medical centres, schools and water stations, immediately demilitarize such facilities, avoid establishing military positions in populated areas and enable the evacuation of the wounded and all civilians who wish to leave besieged areas, and recalls in this regard that the Syrian authorities bear primary responsibility for protecting its population;

18. *Condemns in the strongest terms* the increasing number of massacres and other mass casualty incidents, including those which may constitute a war crime, taking place in the Syrian Arab Republic, including the outrageous attack in Douma by the Syrian regime that struck a busy marketplace on 16 August 2015, when at least 111 civilians were killed, including women and children, and requests the Commission of Inquiry to continue to investigate all such acts;

19. *Recalls* the statements made by the Special Envoy of the Secretary-General for Syria, Mr. Staffan de Mistura, indicating that the overwhelming majority of the civilian casualties in the Syrian Arab Republic have been caused by the indiscriminate use of aerial bombardments, demands in this regard that the Syrian authorities immediately cease any attacks on civilians, any disproportionate attacks and any indiscriminate use of weapons in populated areas, including any indiscriminate use of weapons involving shelling and aerial bombardment, in particular the use of barrel bombs and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering, and recalls in this regard the obligation to respect international humanitarian law in all circumstances;

20. *Stresses* the need to promote accountability for those responsible for the unlawful killing of civilians, and also stresses the importance of holding to account those responsible for all violations of international humanitarian law and international human rights law;

21. *Condemns* the reported forced displacement of the population in the Syrian Arab Republic and the alarming impact on the demography of the country, and calls upon all parties concerned to immediately cease all activities related to these actions, including any activities that may amount to crimes against humanity;

22. *Deplores* the deteriorating humanitarian situation in the Syrian Arab Republic, and urges the international community to assume its responsibility for providing urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

23. *Strongly condemns* the intentional denial of humanitarian assistance to civilians, from whatever quarter, and in particular the denial of medical assistance and the withdrawal of water and sanitation services to civilian areas, which has recently worsened, stressing that the starvation of civilians as a method of combat is prohibited under international law, noting especially the primary responsibility of the Government of the Syrian Arab Republic in this regard, and deplores the deteriorating humanitarian situation;

24. *Demands* that the Syrian authorities and all other parties to the conflict do not hinder the full, immediate and safe access of the United Nations and humanitarian actors, including to besieged and hard-to-reach areas, consistent with Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014);

25. *Strongly condemns* practices including abduction, hostage-taking, incommunicado detention, torture, the brutal murder of innocent civilians and summary executions carried out by non-State armed groups and terrorist groups, most notably so-called Islamic State in Iraq and the Levant (Da'esh) and Al-Nusrah Front, and underlines that such acts may amount to crimes against humanity;

26. *Deplores* the suffering and torture in detention centres throughout the Syrian Arab Republic, as depicted in the reports of the Commission of Inquiry and the Office of the United Nations High Commissioner for Human Rights, as well as in the evidence presented by "Caesar" in January 2014, demands that the Syrian authorities immediately release all persons arbitrarily detained and ensure that detention conditions are consistent with international law, and calls upon the Syrian authorities to publish a list of all detention facilities;

27. *Demands* that the Syrian authorities, so-called Islamic State in Iraq and the Levant (Da'esh), Al-Nusrah Front and all other groups halt the arbitrary detention of civilians and release all detained civilians;

28. *Calls for* the appropriate international monitoring bodies to be granted access to detainees in government prisons and detention centres, including all military facilities referred to in the reports of the Commission of Inquiry;

29. *Strongly condemns* the use of chemical weapons and all indiscriminate methods of warfare in the Syrian Arab Republic, which is prohibited under international law, and notes with grave concern the Commission of Inquiry's findings that the Syrian authorities have repeatedly used chlorine gas as an illegal weapon, which constitutes a violation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[24] and is prohibited under international law;

30. *Welcomes* the unanimous adoption of Security Council resolution 2235 (2015), in which the Council established an Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism to identify those involved in certain uses of toxic chemicals as weapons in the Syrian Arab Republic, and emphasizes the need to hold those responsible to account;

31. *Demands* that the Syrian Arab Republic respect fully its obligations under the Chemical Weapons Convention, the decision of 27 September 2013 of the Executive Council of the Organization for the Prohibition of Chemical Weapons[25] and Security Council resolutions 2118 (2013) and 2235 (2015) requiring it to declare its programme in full and eliminate it in its entirety;

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[24] Ibid., vol. 1974, No. 33757.

[25] Security Council resolution 2118 (2013), annex I.

32. *Also demands* that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect its population lies with the Syrian authorities;

33. *Strongly condemns* the damage and destruction of the cultural heritage of the Syrian Arab Republic, as well as the organized looting and trafficking of its cultural property, as outlined by the Security Council in its resolution 2199 (2015) of 12 February 2015;

34. *Emphasizes* the need to ensure that all those responsible for violations of international humanitarian law or violations and abuses of human rights law are held to account through appropriate fair and independent domestic or international criminal justice mechanisms in accordance with the principle of complementarity, and stresses the need to pursue practical steps towards this goal, and for this reason encourages the Security Council to take appropriate action to ensure accountability, noting the important role that the International Criminal Court can play in this regard;

35. *Welcomes* the efforts of those countries outside the region that have put in place measures and policies to assist and host Syrian refugees, encourages them to do more, and encourages other States outside the region to consider also implementing similar measures and policies, with a view to providing Syrian refugees with protection and humanitarian assistance;

36. *Urges* the international community, including all donors, to provide urgent financial support to enable the host countries to respond to the growing humanitarian needs of Syrian refugees, while emphasizing the principle of burden-sharing;

37. *Calls upon* all members of the international community, including all donors, to fulfil their previous pledges and continue to provide much-needed support to the United Nations, the specialized agencies and other humanitarian actors to provide humanitarian assistance to the millions of Syrians displaced both internally and in host countries;

38. *Urges* all Syrian parties to the conflict to take all appropriate steps to ensure the safety and security of United Nations and associated personnel, personnel of the specialized agencies and all other personnel engaged in humanitarian relief activities as required by international humanitarian law, without prejudice to their freedom of movement and access, stresses the need not to impede or hinder these efforts, recalls that attacks on humanitarian workers may amount to war crimes, and notes in this regard that the Security Council reaffirmed in its resolution 2191 (2014) that it will take further measures in the event of non-compliance with resolutions 2139 (2014), 2165 (2014) or 2191 (2014) by any Syrian party;

39. *Calls upon* the international community to support the leadership and full participation of women in all efforts aimed at finding a political solution to the Syrian crisis, as envisaged by the Security Council in its resolutions 1325 (2000) of 31 October 2000, 2122 (2013) of 18 October 2013 and 2242 (2015) of 13 October 2015;

40. *Reaffirms its commitment* to international efforts to find a political solution to the Syrian crisis that meets the legitimate aspirations of the Syrian people for a civil, democratic and pluralistic State, with the full and effective participation of women, and where there is no room for sectarianism or discrimination on ethnic, religious, linguistic, gender or any other grounds, and demands that all parties work urgently towards the comprehensive implementation of the Geneva communiqué of 30 June 2012,[22] aiming at bringing an end to all violence, violations and abuses of human rights and violations of international

humanitarian law and the launching of a Syrian-led political process leading to a political transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their future, including through the establishment of an inclusive transitional governing body with full executive powers, which shall be formed on the basis of mutual consent while ensuring the continuity of governmental institutions;

41. *Requests* the Secretary-General to report on the implementation of the present resolution by the Syrian authorities within 45 days of its adoption.

82nd plenary meeting
23 December 2015

United Nations A/RES/70/235*

General Assembly

Distr.: General
15 March 2016

Seventieth session
Agenda item 79 (*a*)

Resolution adopted by the General Assembly on 23 December 2015

[*without reference to a Main Committee (A/70/L.22 and Add.1)*]

70/235. Oceans and the law of the sea

The General Assembly,

Recalling its annual resolutions on the law of the sea and on oceans and the law of the sea, including resolution 69/245 of 29 December 2014, as well as other relevant resolutions concerning the United Nations Convention on the Law of the Sea (the Convention),[1]

Recalling also, in this regard, resolution 69/292 of 19 June 2015 on the development of an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction,

Having considered the report of the Secretary-General,[2] the summary of the first global integrated marine assessment,[3] transmitted by the letter dated 7 July 2015 from the Co-Chairs of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects (the Regular Process), to the President of the General Assembly,[4] and the reports on the work of the Ad Hoc Working Group of the Whole on the Regular Process,[5] of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (the Informal Consultative Process) at its sixteenth meeting[6] and on the twenty-fifth Meeting of States Parties to the Convention,[7]

Recognizing the pre-eminent contribution provided by the Convention to the strengthening of peace, security, cooperation and friendly relations among all nations in conformity with the principles of justice and equal rights and to the promotion of the economic and social advancement of all peoples of the world, in

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* Reissued for technical reasons on 29 March 2016.

[1] United Nations, *Treaty Series*, vol. 1833, No. 31363.

[2] A/70/74 and Add.1.

[3] World Ocean Assessment I.

[4] See A/70/112.

[5] A/70/418.

[6] A/70/78.

[7] SPLOS/287.

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accordance with the purposes and principles of the United Nations as set forth in the Charter of the United Nations, as well as to the sustainable development of the oceans and seas,

Emphasizing the universal and unified character of the Convention, and reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action and cooperation in the marine sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[8]

Recognizing the important contribution of sustainable development and management of the resources and uses of the oceans and seas to the achievement of international development goals, including those contained in the United Nations Millennium Declaration,[9]

Noting with satisfaction that, in the outcome document of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, entitled "The future we want",[10] as endorsed by the General Assembly in resolution 66/288 of 27 July 2012, States recognized that oceans, seas and coastal areas form an integrated and essential component of the Earth's ecosystem and are critical to sustaining it, and that international law, as reflected in the Convention, provides the legal framework for the conservation and sustainable use of the oceans and their resources, and stressed the importance of the conservation and sustainable use of the oceans and seas and of their resources for sustainable development, including through their contributions to poverty eradication, sustained economic growth, food security and creation of sustainable livelihoods and decent work, while at the same time protecting biodiversity and the marine environment and addressing the impacts of climate change,

Welcoming the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, held from 25 to 27 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", as adopted by the General Assembly in its resolution 70/1 of 25 September 2015, and in this regard reaffirming the commitment to conserve and sustainably use the oceans, seas and marine resources for sustainable development, as reflected in Goal 14 of the outcome document,

Recognizing paragraphs 64 and 65 of the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, adopted by the Conference, which was held from 13 to 16 July 2015,[11]

Recalling that in "The future we want", States underscored that broad public participation and access to information and judicial and administrative proceedings were essential to the promotion of sustainable development and that sustainable development required the meaningful involvement and active participation of regional, national and subnational legislatures and judiciaries, and all major groups, and, in this regard, that they agreed to work more closely with major groups and

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[8] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

[9] Resolution 55/2.

[10] Resolution 66/288, annex.

[11] Resolution 69/313, annex.

other stakeholders and encouraged their active participation, as appropriate, in processes that contribute to decision-making, planning and implementation of policies and programmes for sustainable development at all levels,

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach, and reaffirming the need to improve cooperation and coordination at the national, regional and global levels, in accordance with the Convention, to support and supplement the efforts of each State in promoting the implementation and observance of the Convention and the integrated management and sustainable development of the oceans and seas,

Reiterating the essential need for cooperation, including through capacity-building and transfer of marine technology, to ensure that all States, especially developing countries, in particular the least developed countries and small island developing States, as well as coastal African States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas, as well as to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Emphasizing the need to strengthen the ability of competent international organizations to contribute, at the global, regional, subregional and bilateral levels, through cooperation programmes with Governments, to the development of national capacity in marine science and the sustainable management of the oceans and their resources,

Recalling that marine science is important for eradicating poverty, contributing to food security, conserving the world's marine environment and resources, helping to understand, predict and respond to natural events and promoting the sustainable development of the oceans and seas, by improving knowledge, through sustained research efforts and the evaluation of monitoring results, and applying such knowledge to management and decision-making,

Reiterating its deep concern at the serious adverse impacts on the marine environment and biodiversity, in particular on vulnerable marine ecosystems and their physical and biogenic structure, including coral reefs, cold water habitats, hydrothermal vents and seamounts, of certain human activities,

Emphasizing the need for the safe and environmentally sound recycling of ships,

Expressing deep concern at the adverse economic, social and environmental impacts of the physical alteration and destruction of marine habitats that may result from land-based and coastal development activities, in particular those land reclamation activities that are carried out in a manner that has a detrimental impact on the marine environment,

Reiterating its serious concern at the current and projected adverse effects of climate change and ocean acidification on the marine environment and marine biodiversity, and emphasizing the urgency of addressing these issues,

Expressing concern that climate change continues to increase the severity and incidence of coral bleaching throughout tropical seas and weakens the ability of reefs to withstand ocean acidification, which could have serious and irreversible negative effects on marine organisms, particularly corals, as well as to withstand other pressures, including overfishing and pollution,

Reiterating its deep concern at the vulnerability of the environment and the fragile ecosystems of the polar regions, including the Arctic Ocean and the Arctic ice cap, particularly affected by the projected adverse effects of climate change and ocean acidification,

Recognizing the need for a more integrated and ecosystem-based approach to, further study of and the promotion of measures for enhanced cooperation, coordination and collaboration relating to the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction,

Recognizing also that the realization of the benefits of the Convention could be enhanced by international cooperation, technical assistance and advanced scientific knowledge, as well as by funding and capacity-building,

Recognizing further that hydrographic surveys and nautical charting are critical to the safety of navigation and life at sea, environmental protection, including the protection of vulnerable marine ecosystems, and the economics of the global shipping industry, and encouraging further efforts towards electronic charting, which not only provides significantly increased benefits for safe navigation and management of ship movement, but also provides data and information that can be used for sustainable fisheries activities and other sectoral uses of the marine environment, the delimitation of maritime boundaries and environmental protection, and noting that under the International Convention for the Safety of Life at Sea, 1974,[12] ships on international voyages are required to carry an electronic chart display and information system, in accordance with the implementation schedule as set out in that Convention,

Recognizing that ocean data buoys deployed and operated in accordance with international law are critical for improving understanding of weather, climate and ecosystems, and that certain types of ocean data buoys contribute to saving lives by detecting tsunamis, and reiterating its serious concern at intentional and unintentional damage to such buoys,

Emphasizing that underwater archaeological, cultural and historical heritage, including shipwrecks and watercraft, holds essential information on the history of humankind and that such heritage is a resource that needs to be protected and preserved,

Noting with concern the continuing problem of transnational organized crime committed at sea, including illicit traffic in narcotic drugs and psychotropic substances, the smuggling of migrants, trafficking in persons and illicit trafficking in firearms, and threats to maritime safety and security, including piracy, armed robbery at sea, smuggling and terrorist acts against shipping, offshore installations and other maritime interests, and noting the deplorable loss of life and adverse impact on international trade, energy security and the global economy resulting from such activities,

Reiterating the importance of the fair treatment of crew members and its influence on maritime safety,

Recognizing that fibre-optic submarine cables transmit most of the world's data and communications and hence are vitally important to the global economy and the national security of all States, conscious that these cables are susceptible to

[12] United Nations, *Treaty Series*, vol. 1184, No. 18961.

intentional and accidental damage from shipping and other activities and that the maintenance, including the repair, of these cables is important, noting that these matters have been brought to the attention of States at various workshops and seminars, and conscious of the need for States to adopt national laws and regulations to protect submarine cables and render their wilful damage or damage by culpable negligence punishable offences,

Noting the importance of the delineation of the outer limits of the continental shelf beyond 200 nautical miles and that it is in the broader interest of the international community that coastal States with a continental shelf beyond 200 nautical miles submit information on the outer limits of the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf (the Commission), and welcoming the submissions to the Commission by a considerable number of States Parties to the Convention on the outer limits of their continental shelf beyond 200 nautical miles, that the Commission has continued to fulfil its role, including of making recommendations to coastal States, and that the summaries of recommendations are being made publicly available,[13]

Noting also that many coastal States Parties have submitted preliminary information indicative of the outer limits of the continental shelf beyond 200 nautical miles, as provided for in the decision of the eighteenth Meeting of States Parties to the Convention regarding the workload of the Commission and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (*a*),[14]

Noting further that some coastal States may continue to face particular challenges in relation to preparing and presenting submissions to the Commission,

Noting that financial and technical assistance may be sought by developing countries for activities in relation to preparing and presenting submissions to the Commission, including through the voluntary trust fund established by the General Assembly in its resolution 55/7 of 30 October 2000 for the purpose of facilitating the preparation of submissions to the Commission for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the Convention, as well as other accessible international assistance,

Recognizing the importance of the trust funds established pursuant to resolution 55/7 in facilitating the participation of members of the Commission from developing States in the meetings of the Commission and in fulfilling the requirements of article 4 of annex II to the Convention, while noting with appreciation the recent contributions made to them,

Reaffirming the importance of the work of the Commission for coastal States and for the international community,

Recognizing that practical difficulties can arise when there is a considerable delay between the preparation of submissions and their consideration by the Commission, including in retaining expertise up to and during the consideration of the submissions by the Commission,

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[13] Available from the web page of the Commission maintained by the Division for Ocean Affairs and the Law of the Sea.

[14] SPLOS/183.

Recognizing also the significant workload of the Commission in view of the large number of submissions already received and a number of submissions yet to be received, which places additional demands and challenges on its members and the secretariat as provided by the Secretary-General of the United Nations through the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat (the Division), and welcoming the decision of the twenty-first Meeting of States Parties to the Convention regarding the workload of the Commission,[15]

Noting with concern the projected timetable of the work of the Commission on the submissions already received by it and those yet to be received, and in this regard noting with appreciation the continued implementation of the decision of the Commission at its thirtieth session concerning the arrangements for its sessions and the meetings of its subcommissions, taking into account the decision of the twenty-first Meeting of States Parties to the Convention,[16]

Recognizing the need to ensure that the Commission can perform its functions under the Convention expeditiously, efficiently and effectively and maintain its high level of quality and expertise,

Expressing concern about the implications of the workload of the Commission for the conditions of service of its members,

Noting, in this regard, the decision of the twenty-fifth Meeting of States Parties to the Convention regarding the conditions of service of the members of the Commission,[17]

Recalling its decision, in resolutions 57/141 of 12 December 2002 and 58/240 of 23 December 2003, to establish a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socioeconomic aspects, both current and foreseeable, building on existing regional assessments, as recommended by the World Summit on Sustainable Development,[18] and noting the need for cooperation among all States to this end,

Recalling also its decisions, in paragraphs 202, 203 and 209 of resolution 65/37 A of 7 December 2010 and paragraphs 200, 205 and 206 of resolution 66/231 of 24 December 2011, regarding the Regular Process, as established under the United Nations and accountable to the General Assembly,

Recalling further that the Division has been designated to provide secretariat support to the Regular Process, including its established institutions,

Recognizing the importance and the contribution of the work of the Informal Consultative Process established by the General Assembly in its resolution 54/33 of 24 November 1999 to facilitate the annual review of developments in ocean affairs by the Assembly,

Noting the continuously growing responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular

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[15] SPLOS/229.

[16] See CLCS/76, CLCS/80 and Corr.1, CLCS/85 and CLCS/88.

[17] SPLOS/286.

[18] See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997, 54/33, 65/37 A, 65/37 B of 4 April 2011, 66/231, 67/78 of 11 December 2012, 68/70 of 9 December 2013, 69/245 and 69/292, and in this context the unprecedented substantial increase in activities of the Division, in particular in view of the growing number of requests to the Division for additional outputs and servicing of meetings, the provision of technical assistance and capacity-building, the need for enhanced support and assistance to the Commission and the role of the Division in carrying out the functions in resolution 69/292 and as the secretariat of the Regular Process, and in relation to the functions as focal point for UN-Oceans,

Reaffirming the importance of the work of the International Seabed Authority (the Authority) in accordance with the Convention and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (the Part XI Agreement),[19]

Reaffirming also the importance of the work of the International Tribunal for the Law of the Sea (the Tribunal) in accordance with the Convention,

I

Implementation of the Convention and related agreements and instruments

1. *Reaffirms* its annual resolutions on the law of the sea and on oceans and the law of the sea, including resolution 69/245, and other relevant resolutions concerning the Convention;[1]

2. *Also reaffirms* the unified character of the Convention and the vital importance of preserving its integrity;

3. *Welcomes* the recent accession to the Convention, and calls upon all States that have not done so, in order to fully achieve the goal of universal participation, to become parties to the Convention and the Part XI Agreement;[19]

4. *Calls upon* States that have not done so, in order to achieve the goal of universal participation, to become parties to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the Fish Stocks Agreement);[20]

5. *Calls upon* States to harmonize their national legislation with the provisions of the Convention and, where applicable, relevant agreements and instruments, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention do not purport to exclude or to modify the legal effect of the provisions of the Convention in their application to the State concerned and to withdraw any such declarations or statements;

6. *Calls upon* States Parties to the Convention that have not yet done so to deposit with the Secretary-General charts or lists of geographical coordinates, as provided for in the Convention, preferably using the generally accepted and most recent geodetic datums;

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[19] United Nations, *Treaty Series*, vol. 1836, No. 31364.

[20] Ibid., vol. 2167, No. 37924.

7. *Notes*, in this regard, the ongoing efforts of the Secretary-General to improve the existing geographic information system for the deposit by States of charts and geographical coordinates concerning maritime zones, including lines of delimitation, submitted pursuant to the Convention, and to give due publicity thereto, as requested in paragraph 6 of resolution 59/24 of 17 November 2004, as well as the ongoing cooperation with the International Hydrographic Organization to develop the technical standards for the collection, storage and dissemination of the information deposited, in order to ensure compatibility among geographic information systems, electronic nautical charts and other systems, and emphasizes the importance of the prompt completion of these efforts;

8. *Urges* all States to cooperate, directly or through competent international bodies, in taking measures to protect and preserve objects of an archaeological and historical nature found at sea, in conformity with the Convention, and calls upon States to work together on such diverse challenges and opportunities as the appropriate relationship between salvage law and scientific management and conservation of underwater cultural heritage, increasing technological abilities to discover and reach underwater sites, looting and growing underwater tourism;

9. *Acknowledges* the recent deposit of instruments of ratification and acceptance of the 2001 Convention on the Protection of the Underwater Cultural Heritage,[21] calls upon States that have not yet done so to consider becoming parties to that Convention, and notes in particular the rules annexed to that Convention, which address the relationship between salvage law and scientific principles of management, conservation and protection of underwater cultural heritage among Parties, their nationals and vessels flying their flag;

II

Capacity-building

10. *Emphasizes* that capacity-building is essential to ensure that States, especially developing countries, in particular the least developed countries and small island developing States, as well as coastal African States, are able to fully implement the Convention, benefit from the sustainable development of the oceans and seas and participate fully in global and regional forums on ocean affairs and the law of the sea;

11. *Recalls*, in this regard, that in "The future we want",[10] States recognized the importance of building the capacity of developing countries to be able to benefit from the conservation and sustainable use of the oceans and seas and their resources, and in this regard emphasized the need for cooperation in marine scientific research to implement the provisions of the Convention and the outcomes of the major summits on sustainable development, as well as for the transfer of technology, taking into account the Criteria and Guidelines on the Transfer of Marine Technology adopted by the Assembly of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization at its twenty-second session, in 2003;

12. *Emphasizes* the need for international cooperation for capacity-building, including cross-sectoral cooperation, at national, regional and global levels, to

[21] Ibid., vol. 2562, No. 45694.

address, in particular, gaps in capacity-building in ocean affairs and the law of the sea, including marine science;

13. *Calls for* capacity-building initiatives to take into account the needs of developing countries, and calls upon States, international organizations and donor agencies to make efforts to ensure the sustainability of such initiatives;

14. *Calls upon* donor agencies and international financial institutions to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the objectives of the present resolution, as well as the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the interests and needs of landlocked developing States;

15. *Encourages* intensified efforts to build capacity for developing countries, in particular for the least developed countries and small island developing States, as well as coastal African States, to improve aids to navigation, hydrographic services and the production of nautical charts, including electronic charts, as well as the mobilization of resources and building of capacity with support from international financial institutions and the donor community;

16. *Calls upon* States and international institutions, including through bilateral, regional and global cooperation programmes, technical partnerships and fellowships, to continue to support and strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research by, inter alia, training personnel to develop and enhance relevant expertise, providing the necessary equipment, facilities and vessels and transferring environmentally sound technologies;

17. *Also calls upon* States and international institutions, including through bilateral, regional and global cooperation programmes, technical partnerships and fellowships, to support and strengthen capacity-building activities in developing countries, in particular least developed countries and small island developing States, to develop their maritime administration and appropriate legal frameworks to establish or enhance the necessary infrastructure, legislative and enforcement capabilities to promote effective compliance with and implementation and enforcement of their responsibilities under international law;

18. *Further calls upon* States and international institutions, including through bilateral, regional and global cooperation programmes, technical partnerships and fellowships, to develop and strengthen capacity-building activities in and to transfer to developing countries, in particular least developed countries and small island developing States, on mutually agreed terms, and taking into account the Criteria and Guidelines on the Transfer of Marine Technology, environmentally sound technologies to study and minimize the impacts of ocean acidification;

19. *Emphasizes* the need to focus on strengthening South-South cooperation as an additional way to build capacity and as a cooperative mechanism to further enable countries to set their own priorities and needs and to foster actions to implement such cooperation;

20. *Recognizes with appreciation* the important contribution to capacity-building in the field of the law of the sea by the Rhodes Academy of Oceans Law and Policy, a cooperative undertaking by the Center for Oceans Law and Policy of the University of Virginia School of Law, the Aegean Institute of the Law of the Sea

and Maritime Law, the Law of the Sea Institute of Iceland, the Max Planck Institute for Comparative Public Law and International Law, the Netherlands Institute for the Law of the Sea of Utrecht University and the Centre for International Law of the National University of Singapore that offers a prominent three-week summer course annually in Rhodes, Greece, celebrates its twentieth anniversary in 2015 and has graduated more than 700 students from more than 120 countries;

21. *Recognizes* the importance of the work of the International Maritime Law Institute of the International Maritime Organization, as a centre of education and training of government legal advisers, mainly from developing States, confirms its effective capacity-building role in the field of international law, and urges States, intergovernmental organizations and financial institutions to make voluntary financial contributions to the budget of the Institute;

22. *Also recognizes* the importance of the World Maritime University of the International Maritime Organization as a centre of excellence for maritime education and research, confirms its effective capacity-building role in the field of maritime transportation, policy, administration, management, safety, security and environmental protection, as well as its role in the international exchange and transfer of knowledge, and urges States, intergovernmental organizations and other bodies to make voluntary financial contributions to the University;

23. *Welcomes* ongoing activities for capacity-building so as to address maritime security and safety needs and the protection of the marine environment of developing States, and encourages States and international financial institutions to provide additional funding for capacity-building programmes, including for transfer of technology, including through the International Maritime Organization and other competent international organizations;

24. *Recognizes* the considerable need to provide sustained capacity-building assistance, including on financial and technical aspects, by relevant international organizations and donors to developing States, with a view to further strengthening their capacity to take effective measures against the multiple facets of international criminal activities at sea, in line with the relevant international instruments, including the United Nations Convention against Transnational Organized Crime and the Protocols thereto;[22]

25. *Also recognizes* the need to build the capacity of developing States to raise awareness of and support the implementation of improved waste management practices, noting the particular vulnerability of small island developing States to the impact of marine pollution from land-based sources and marine debris;

26. *Further recognizes* the importance of assisting developing States, in particular the least developed countries and small island developing States, as well as coastal African States, in implementing the Convention, urges States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, to make voluntary financial or other contributions to the trust funds, as referred to in resolutions 55/7, 57/141 and 64/71 of 4 December 2009, established for this purpose, and expresses its appreciation to those that have contributed;[23]

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[22] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

[23] See A/70/74/Add.1, para. 137.

27. *Acknowledges* the importance of capacity-building for developing States, in particular the least developed countries and small island developing States, as well as coastal African States, for the protection of the marine environment and the conservation and sustainable use of marine resources;

28. *Recognizes* that promoting the voluntary transfer of technology is an essential aspect of building capacity in marine science;

29. *Encourages* States to use the Intergovernmental Oceanographic Commission Criteria and Guidelines on the Transfer of Marine Technology, and recalls the important role of the secretariat of that Commission in the implementation and promotion of the Criteria and Guidelines;

30. *Also encourages* States to consider additional opportunities for capacity-building at the regional level;

31. *Welcomes* the efforts of the Tribunal in holding regional workshops, including the latest workshop for the Asia-Pacific region, entitled "The Role of the International Tribunal for the Law of the Sea in the Settlement of Disputes relating to the Law of the Sea", held in Bali, Indonesia, on 27 and 28 August 2015, with the assistance of the Korea Maritime Institute and in cooperation with the Ministry of Foreign Affairs of Indonesia;

32. *Takes note* of the decision by the Executive Council of the Intergovernmental Oceanographic Commission to launch the Global Ocean Science Report;

33. *Notes with appreciation* the adoption by the Assembly of the Intergovernmental Oceanographic Commission of the new Capacity Development Strategy (2015–2021) which takes into account that capacity development is a fundamental tenet of the mission of the Intergovernmental Oceanographic Commission;

34. *Expresses its appreciation* for the contribution of the Intergovernmental Oceanographic Commission to capacity-building through its Ocean Teacher Academy training system, which has provided training in ocean data and information management, and notes the setting up of the Ocean Teacher Global Academy, operating through a network of regional training centres, which builds capacity and promotes expertise available in developing countries;

35. *Notes with satisfaction* the efforts of the Division to compile information on capacity-building initiatives, requests the Secretary-General to continue to regularly update such information provided by States, international organizations and donor agencies and include it in his annual report to the General Assembly, invites States, international organizations and donor agencies to submit such information to the Secretary-General for this purpose, and requests the Division to post the information on capacity-building initiatives from the annual report of the Secretary-General on the website of the Division in an easily accessible manner so as to facilitate the matching of capacity-building needs with opportunities;

36. *Calls upon* States to continue to assist developing States, and especially the least developed countries and small island developing States, as well as coastal African States, at the bilateral and, where appropriate, multilateral levels, in the preparation of submissions to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, including the assessment of the nature and extent of the continental shelf of a coastal State, and recalls that coastal States can make requests to the Commission for scientific and

technical advice in the preparation of data for their submissions, in accordance with article 3 of annex II to the Convention;

37. *Recognizes* the importance of the trust fund established pursuant to resolution 55/7 for the purpose of facilitating the preparation of submissions to the Commission for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the Convention, and, in order to assist developing States to meet the travel and daily subsistence allowance costs associated with meeting with the Commission when their submissions are being examined and upon the invitation of the Commission, in accordance with paragraph 31 of the terms of reference, guidelines and rules of the trust fund,[24] amends, as set out in the annex to the present resolution, sections 2, 4 and 5 of the terms of reference, guidelines and rules of the trust fund;

38. *Calls upon* the Division to continue to disseminate information on relevant procedures related to the trust fund established for the purpose of facilitating the preparation of submissions to the Commission and to continue its dialogue with potential beneficiaries with a view to providing financial support to developing countries for activities to facilitate their submissions in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure[25] and the Scientific and Technical Guidelines of the Commission[26] and to defray the costs of travel and daily subsistence allowance for delegates to participate in meetings with the Commission upon its invitation;

39. *Requests* the Secretary-General, in cooperation with States and relevant international organizations and institutions, to continue to support training and other activities to assist developing States in the preparation and presentation of their submissions to the Commission;

40. *Recognizes with appreciation* the contribution of the Division to capacity-building activities at the national and regional levels, in particular the work of the Division in promoting wider appreciation of the Convention and in assisting with its implementation, through the provision of information, advice and assistance to States and intergovernmental organizations, and recognizes in particular the delivery of a programme of assistance to the Government of Somalia under a project funded by the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia;

41. *Invites* Member States and others in a position to do so to support the capacity-building activities of the Division, including by making earmarked voluntary contributions to the trust fund established by the Secretary-General for the Office of Legal Affairs to support the promotion of international law, and expresses its appreciation to those who have contributed;

42. *Recognizes with appreciation* the important contribution to the capacity-building of developing countries and the promotion of the law of the sea made by the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, which was established by the General Assembly in 1981 in honour of the first President of the Third United Nations Conference on the Law of the Sea and which, relying on its network of 17 host institutions, has awarded to date 30 fellowships to

[24] Resolution 55/7, annex II.

[25] CLCS/40/Rev.1.

[26] CLCS/11 and Corr.1 and Add.1 and Add.1/Corr.1.

individuals from 26 Member States, welcomes the fact that the twenty-seventh award, in 2015, was made possible thanks to the generous contributions of Member States, expresses its concern that the twenty-eighth award, in 2016, may not be possible owing to a lack of funding, and recalls in this regard, the provisions of its resolutions on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law;[27]

43. *Also recognizes with appreciation* the important contribution of the United Nations-Nippon Foundation of Japan Fellowship Programme, which has awarded 120 fellowships to individuals from 70 Member States since 2004, to human resources development for developing Member States in the field of ocean affairs and the law of the sea and related disciplines, as well as the fostering of global interlinkages and continuing capacity development through the alumni programme, which held a regional meeting on oceans and climate change, in Cancun, Mexico, from 5 to 9 October 2015, and a meeting on technical aspects of the law of the sea, in Monaco from 20 to 23 October 2015, and further recognizes with appreciation the provision of a fellowship under the Special Strategic Award of the United Nations-Nippon Foundation of Japan Fellowship Programme in 2015;

44. *Further recognizes with appreciation* the important contribution of the Korea Maritime Institute to the trust fund to support the internship programmes at the Tribunal since 2011 and its continued efforts to provide education and training for capacity-building of developing countries through the Yeosu Academy of the Law of the Sea programme, the first and second sessions of which were held in October 2014 and October 2015, respectively;

45. *Encourages* the competent international organizations, the United Nations Development Programme and international financial institutions and funds to consider expanding their programmes within their respective fields of competence for assistance to developing countries and to coordinate their efforts, and recognizes the funding available from the Global Environment Facility as well as other funds allocated for projects relating to oceans;

III

Meeting of States Parties

46. *Welcomes* the report of the twenty-fifth Meeting of States Parties to the Convention,[7] also welcomes the election by the Meeting on 10 June 2015 of one member of the Commission,[7] and further welcomes the decision taken by the Meeting regarding the conditions of service of the members of the Commission;[28]

47. *Notes* that the twenty-fifth Meeting of States Parties, convened by the Secretary-General pursuant to resolution 69/245, is to be resumed on 15 January 2016, and requests the Secretary-General to provide full conference services, including documentation, as required;

48. *Requests* the Secretary-General to convene the twenty-sixth Meeting of States Parties to the Convention from 20 to 24 June 2016, with full conference services, including documentation, as required;

[27] Resolutions 69/117, para. 8, and 70/116, para. 4.

[28] See SPLOS/286 and SPLOS/287.

IV

Peaceful settlement of disputes

49. *Notes with satisfaction* the continued and significant contribution of the Tribunal to the settlement of disputes by peaceful means in accordance with Part XV of the Convention, and underlines the important role and authority of the Tribunal concerning the interpretation or application of the Convention and the Part XI Agreement;

50. *Pays tribute* to the important and long-standing role of the International Court of Justice with regard to the peaceful settlement of disputes concerning the law of the sea;

51. *Notes* that States parties to an international agreement related to the purposes of the Convention may submit to, inter alia, the Tribunal or the International Court of Justice any dispute concerning the interpretation or application of that agreement submitted in accordance with that agreement, and also notes the possibility, provided for in the Statutes of the Tribunal and the Court, to submit disputes to a chamber;

52. *Encourages* States Parties to the Convention that have not yet done so to consider making a written declaration, choosing from the means set out in article 287 of the Convention for the settlement of disputes concerning the interpretation or application of the Convention and the Part XI Agreement, bearing in mind the comprehensive character of the dispute settlement mechanism provided for in Part XV of the Convention;

V

The Area

53. *Reiterates* the importance of the ongoing elaboration and standardization by the Authority, pursuant to article 145 of the Convention, of rules, regulations and procedures to ensure the effective protection of the marine environment, for, inter alia, the protection and conservation of the natural resources of the Area and for the prevention of damage to the flora and fauna of the marine environment from harmful effects that may arise from activities in the Area;

54. *Notes* that, as at 31 July 2015, the Authority had approved 27 plans of work for exploration for marine mineral resources in the Area and had entered into 15-year contracts for exploration for polymetallic nodules, for polymetallic sulphides and for cobalt-rich ferromanganese crusts;

55. *Notes with appreciation* the decision taken by the Council of the Authority at its twenty-first session to adopt the procedures and criteria for extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Part XI Agreement;[29]

56. *Encourages* the Authority to continue its work on the exploitation regulations as a matter of priority and in accordance with the list of priority deliverables endorsed by the Council of the Authority;[30]

[29] ISBA/21/C/19.

[30] See ISBA/21/C/20.

57. *Recalls* the relevance of the advisory opinion on the responsibilities and obligations of States sponsoring persons and entities with respect to activities in the Area, issued by the Seabed Disputes Chamber of the Tribunal on 1 February 2011;[31]

58. *Recognizes* the importance of the responsibilities entrusted to the Authority by articles 143 and 145 of the Convention, which refer to marine scientific research and protection of the marine environment in the Area, respectively;

59. *Notes* the decision of the Assembly of the Authority to undertake, pursuant to article 154 of the Convention, a general and systematic review of the manner in which the international regime of the Area has operated in practice, and also notes that an interim report on the progress of the review will be submitted to the Assembly of the Authority at its twenty-second session, while the final report, together with any recommendations designed to improve the operation of the regime, is to be submitted to the Assembly at its twenty-third session;[32]

60. *Recalls* that the environmental management plan for the Clarion-Clipperton Zone, including the designation, on a provisional basis, of a network of areas of particular environmental interest, was approved in 2012, to be implemented over an initial three-year period so that it may be improved as more scientific, technical and environmental baseline and resource assessment data become available and that, for that purpose, the conduct of marine scientific research in those areas and the supply of available results to the Authority was encouraged,[33] in this regard welcomes the request by the Council of the Authority that a workshop be held before the twenty-second session of the Authority to review the implementation of the plan, and notes with appreciation that the Council encouraged the Legal and Technical Commission and the secretariat of the Authority to make progress on the development of environmental management plans in other international seabed area zones, in particular where there are currently contracts for exploration;[30]

61. *Expresses its appreciation* to States that have made contributions to the voluntary trust fund established pursuant to the decision of the Authority at its eighth session[34] for the purpose of defraying the cost of participation of the members of the Legal and Technical Commission from developing countries and the members of the Finance Committee from developing countries in the meetings of the Commission and of the Committee,[35] and to States that have made contributions to the endowment fund for marine scientific research in the Area established by the Authority at its twelfth session,[36] for the purpose of promoting and encouraging the conduct of collaborative marine scientific research in the Area, and encourages States to make additional contributions to these funds;[35]

62. *Recognizes* the ongoing efforts of the Authority to promote its work, and notes in this regard the workshop on mineral exploitation in the Area, held in Singapore, on 16 and 17 June 2015;

[31] See ISBA/17/A/9.
[32] ISBA/21/A/9.
[33] See ISBA/18/C/22.
[34] ISBA/8/A/11.
[35] See ISBA/21/A/2.
[36] ISBA/12/A/11.

VI

Effective functioning of the Authority and the Tribunal

63. *Commends* the progress in the work of the Authority;

64. *Also commends* the work of the Tribunal since its establishment;

65. *Appeals* to all States Parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and also appeals to States Parties in arrears with their contributions to fulfil their obligations without delay;

66. *Encourages* the Authority to continue to explore ways to manage the workload resulting from the increasing number of contracts and applications, and notes the decision of the Council of the Authority at its twenty-first session, in which it requested the Secretary-General of the Authority to ensure that adequate time and resources continue to be made available to support the work of the Legal and Technical Commission, especially on priority issues;[30]

67. *Notes* the decision of the Assembly at its twenty-first session, in which it strongly encouraged contractors that were still considering their position in relation to the annual overhead charge established by the Assembly at its nineteenth session, related to the administration and supervision of their contracts, to accept the relevant amendments to the standard terms of their contracts in order to ensure equitable burden-sharing among all contractors,[37] and in this regard recognizes that a number of contractors have already accepted the annual overhead charge;[38]

68. *Expresses concern* about the low attendance at the annual sessions of the Assembly of the Authority, noting also the concerns expressed with regard to the scheduling of annual sessions of the Authority and taking into consideration the great strides made by the Authority in adopting regulations for the prospecting and exploration of minerals in the Area, and invites the Authority to consider measures to improve the attendance at its annual sessions, including the holding of the sessions at an earlier time;

69. *Recognizes* the ongoing efforts of the Authority to organize sensitization seminars to promote awareness of its work and notes, in this regard, the holding of the ninth sensitization seminar on the exploration and exploitation of deep seabed mineral resources in the Area, in Pretoria from 17 to 19 March 2015, welcomes the call to include landlocked and other geographically disadvantaged countries in the seminars, and calls upon other States and regions to consider inviting the Authority to organize such seminars in order to promote wider participation by the international community in the exploration and exploitation of mineral resources in the Area;

70. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal[39] and to the Protocol on the Privileges and Immunities of the Authority;[40]

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[37] See ISBA/21/A/10, para. 5.

[38] See ISBA/21/FC/4/Rev.2.

[39] United Nations, *Treaty Series*, vol. 2167, No. 37925.

[40] Ibid., vol. 2214, No. 39357.

71. *Emphasizes* the importance of the rules and staff regulations of the Tribunal in promoting the recruitment of a geographically representative staff in the Professional and higher categories, and welcomes the actions taken by the Tribunal in observance of those rules and regulations;

VII

The continental shelf and the work of the Commission

72. *Recalls* that, in accordance with article 76, paragraph 8, of the Convention, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured shall be submitted by the coastal State to the Commission set up under annex II to the Convention on the basis of equitable geographical representation, that the Commission shall make recommendations to coastal States on matters related to the establishment of the outer limits of their continental shelf, and that the limits of the shelf established by a coastal State on the basis of these recommendations shall be final and binding;

73. *Also recalls* that, in accordance with article 77, paragraph 3, of the Convention, the rights of the coastal State over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation;

74. *Notes with satisfaction* that a considerable number of States Parties to the Convention have submitted information to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, in conformity with article 76 of the Convention and article 4 of annex II to the Convention, taking into account the decision of the eleventh Meeting of States Parties to the Convention contained in SPLOS/72, paragraph (*a*);

75. *Also notes with satisfaction* that a considerable number of States Parties to the Convention have submitted to the Secretary-General, pursuant to the decision of the eighteenth Meeting of States Parties to the Convention, [41] preliminary information indicative of the outer limits of the continental shelf beyond 200 nautical miles and a description of the status of preparation and intended date of submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission, and notes with satisfaction that additional submissions referred to in preliminary information have been filed with the Commission;

76. *Further notes with satisfaction* the progress in the work of the Commission[42] and that it is giving current consideration to a number of submissions that have been made regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles;

77. *Notes with satisfaction* that the Commission, taking into account the decision of the eighteenth Meeting of States Parties to the Convention,[41] has compiled lists of websites of organizations, data/information portals and data holders where general information and publicly available scientific and technical data can be accessed that may be relevant to the preparation of submissions, and has made this information available on its website;

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[41] See SPLOS/183.

[42] See CLCS/88, CLCS/90 and CLCS/91.

78. *Takes note* of the 22 recommendations made by the Commission on the submissions of a number of coastal States, and welcomes the fact that summaries of recommendations are being made publicly available in accordance with paragraph 11.3 of annex III to the Rules of Procedure of the Commission;

79. *Notes* that the consideration by the Commission of submissions by coastal States in accordance with article 76 of and annex II to the Convention is without prejudice to the application of other parts of the Convention by States Parties;

80. *Also notes* the considerable number of submissions yet to be considered by the Commission and the demands that this places on its members and the secretariat as provided by the Division, and emphasizes the need to ensure that the Commission can perform its functions expeditiously, efficiently and effectively and maintain its high level of quality and expertise;

81. *Takes note with appreciation* of the decision of the Commission at its thirty-fifth and thirty-seventh sessions regarding the workload of the Commission, including its decision to continue to extend the duration of its sessions for 2015 and until June 2017 to three sessions of seven weeks each, including plenary meetings,[43] and further notes the decision of the Commission at its thirty-second and thirty-fourth sessions to establish new subcommissions so that nine subcommissions would actively consider submissions;[44]

82. *Notes* that the Meeting of States Parties to the Convention, in its decisions regarding the conditions of service of the members of the Commission,[45] reaffirmed the obligation of States under the Convention whose experts were serving on the Commission to defray the expenses of the experts they had nominated while the experts are in performance of Commission duties, including the provision of medical coverage, and urged those States to do their utmost to ensure the full participation of those experts in the work of the Commission, including the meetings of subcommissions, in accordance with the Convention;

83. *Also notes* the decision of the twenty-fifth Meeting of States Parties to the Convention to continue the consideration of the conditions of service of the members of the Commission within the open-ended working group established by the twenty-third Meeting of States Parties to the Convention;[17]

84. *Requests* the Secretary-General to continue to take appropriate measures, within overall existing resource levels, to further strengthen the capacity of the Division, serving as the secretariat of the Commission, in order to ensure enhanced support and assistance to the Commission and its subcommissions in their consideration of submissions, as required by paragraph 9 of annex III to the Rules of Procedure of the Commission, in particular its human resources, taking into account the need for simultaneous work on several submissions;

85. *Urges* the Secretary-General to continue to provide all necessary secretariat services to the Commission in accordance with article 2, paragraph 5, of annex II to the Convention;

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[43] See CLCS/85 and CLCS/88.

[44] See CLCS/80 and Corr.1 and CLCS/83 and Corr.1.

[45] SPLOS/276 and SPLOS/286.

86. *Requests* the Secretary-General to take appropriate and timely measures to ensure secretariat services for the Commission and its subcommissions for the extended duration of time requested in the decision of the twenty-first Meeting of States Parties to the Convention;[15]

87. *Also requests* the Secretary-General, consequently, to continue to allocate appropriate and sufficient resources to the Division to provide adequate services and assistance to the Commission in view of the increase in the number of its working weeks;

88. *Expresses its appreciation* to States that have made contributions to the voluntary trust fund established pursuant to resolution 55/7 for the purpose of facilitating the preparation of submissions to the Commission and to the voluntary trust fund also established pursuant to that resolution for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission,[23] encourages States to make additional contributions to these funds, and authorizes the use, as appropriate, of the latter trust fund, and in accordance with the purpose of its terms of reference, to defray the cost of the participation of the Chair of the Commission who is a member of the Commission nominated by a developing country in the Meetings of States Parties to the Convention;

89. *Authorizes* the Secretary-General, as an interim measure and subject to the availability of funds in the trust fund established pursuant to resolution 55/7 for facilitating the participation of members of the Commission from developing States in the meetings of the Commission, following the allocation of the required funds to cover the costs of travel and daily subsistence allowance of the members of the Commission from developing States for the sessions of the Commission in 2016, to reimburse those members for the costs of medical travel insurance from that trust fund on a session-by-session basis and subject to a reasonable limit that the Secretary-General shall determine, based on the information regarding medical travel insurance available to him;

90. *Takes note* of the written information, provided by the Secretary-General in response to the request in paragraph 81 of resolution 69/245, on options for mechanisms to provide medical insurance coverage to members of the Commission, including costs, and expresses its intention to continue to consider these and other options and, if necessary, to further review the terms of reference for the trust fund established pursuant to resolution 55/7 for the purpose of facilitating the participation of members of the Commission from developing States in the meetings of the Commission;

91. *Emphasizes* the need for members of the Commission to have more suitable working space for their work at the sessions of the Commission and its subcommissions and, in this regard, recognizes the written information, provided by the Secretary-General in response to the request in paragraph 84 of resolution 69/245, on options to ensure that they have such working space, and notes that consideration of structural changes to the current working space of the Commission would need to take due account of the upcoming expiry of the lease for the current premises of the Division and other issues raised in the study on the long-term accommodation needs at United Nations Headquarters for the period from 2014 to 2034[46] and the associated consideration of those issues by the General Assembly;

[46] A/68/734.

92. *Recognizes*, in regard to the long-term accommodation discussions, that, owing to its exceptional character, the Commission has special requirements for its working space, including the need for additional fit-for-purpose working space, adequate technical equipment and climate control, and needs to remain located within the same premises as the Division, and emphasizes that, in the context of any relocation of the Division or any change in its working space, full regard will be paid to these special requirements of the Commission;

93. *Notes with concern* the urgent challenges that the current working conditions place on the Commission, and in this regard, while taking due account of the upcoming expiry of the lease of the current premises of the Division and the long-term accommodation discussions noted in paragraph 92 above, requests that the Secretary-General provide cost-effective, transportable, non-structural improvements to address some of the immediate working space needs of the Commission;

94. *Approves* the convening by the Secretary-General of the fortieth, forty-first and forty-second sessions of the Commission, in New York, from 1 February to 18 March 2016, from 11 July to 26 August 2016 and from 17 October to 2 December 2016, respectively, with full conference services, including documentation, for the plenary parts of these sessions,[47] as well as any resumed sessions as may be required by the Commission, and requests the Secretary-General to make every effort to meet these requirements within overall existing resources;

95. *Expresses its firm conviction* about the importance of the work of the Commission, carried out in accordance with the Convention, including with respect to the participation of coastal States in relevant proceedings concerning their submissions, and recognizes the continued need for active interaction between coastal States and the Commission;

96. *Expresses its appreciation* to States that have exchanged views in order to increase understanding of issues, including expenditures involved, arising from the application of article 76 of the Convention, thus facilitating the preparation of submissions by States, in particular developing States, to the Commission, and encourages States to continue to exchange views;

97. *Requests* the Secretary-General, in cooperation with Member States, to continue to support workshops or symposiums on scientific and technical aspects of the establishment of the outer limits of the continental shelf beyond 200 nautical miles, taking into account the need to strengthen capacity-building for developing countries in preparing their submissions;

VIII

Maritime safety and security and flag State implementation

98. *Encourages* States to ratify or accede to international agreements addressing the safety and security of navigation, as well as maritime labour, and to adopt the necessary measures consistent with the Convention and other relevant international instruments aimed at implementing and enforcing the rules contained in those agreements, and emphasizes the need for capacity-building for and assistance to developing States;

[47] From 8 to 12 February and from 7 to 11 March 2016 during the fortieth session, and from 18 to 22 July and from 15 to 19 August 2016 during the forty-first session.

99. *Recognizes* that the legal regimes governing maritime safety and maritime security may have common and mutually reinforcing objectives that may be interrelated and could benefit from synergies, and encourages States to take this into account in their implementation;

100. *Emphasizes* the need for further efforts to promote a culture of safety and security in the shipping industry and to address the shortage of adequately trained personnel, and urges the establishment of more centres to provide the required education and training;

101. *Also emphasizes* that safety and security measures should be implemented in support of and with minimal negative effects on seafarers and fishers, especially in relation to their working conditions, and welcomes the ongoing cooperation between the Food and Agriculture Organization of the United Nations and the International Labour Organization in relation to decent work and employment in fisheries and aquaculture and on child labour in fisheries and aquaculture, as well as the work that has been conducted by the United Nations Office on Drugs and Crime and the International Labour Organization on the issue of trafficking in persons and forced labour on fishing vessels;

102. *Welcomes* the consideration by the International Maritime Organization of the fair treatment of seafarers, and notes the adoption by the Organization on 4 December 2013 of resolution A.1090(28) on the fair treatment of crew members in respect of shore leave and access to shore-side facilities;

103. *Notes* the theme for the 2015 World Maritime Day, "Maritime education and training";

104. *Invites* States that have not yet done so to become parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978,[48] as amended, and the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995;

105. *Invites* States that have not yet done so to become parties to the Maritime Labour Convention, as amended, and also invites States that have not yet done so to ratify or accede to the Work in Fishing Convention, 2007 (No. 188) and the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185),[49] of the International Labour Organization and to effectively implement all of those Conventions, and emphasizes the need to provide to States, at their request, technical cooperation and assistance in that regard;

106. *Invites* States to ratify or accede to the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977;

107. *Welcomes* ongoing cooperation between the Food and Agriculture Organization of the United Nations, the International Maritime Organization and the International Labour Organization relating to the safety of fishers and fishing vessels, and underlines the urgent need for continued work in that area;

[48] United Nations, *Treaty Series*, vol. 1361, No. 23001.

[49] Ibid., vol. 2304, No. 41069.

108. *Recalls* that all actions taken to combat threats to maritime security must be in accordance with international law, including the principles embodied in the Charter of the United Nations and the Convention;

109. *Recognizes* the crucial role of international cooperation at the global, regional, subregional and bilateral levels in combating, in accordance with international law, threats to maritime security, including piracy, armed robbery at sea and terrorist acts against shipping, offshore installations and other maritime interests, through bilateral and multilateral instruments and mechanisms aimed at monitoring, preventing and responding to such threats, the enhanced sharing of information among States relevant to the detection, prevention and suppression of such threats, and the prosecution of offenders with due regard to national legislation, and the need for sustained capacity-building to support such objectives, and in this regard welcomes the adoption at the Ministerial Meeting of the twenty-second Regional Forum of the Association of Southeast Asian Nations, held in Kuala Lumpur on 6 August 2015, of the Work Plan for Maritime Security 2015–2017;

110. *Acknowledges* the work of the Commission on Crime Prevention and Criminal Justice in promoting international cooperation and strengthening capacity to combat the problem of transnational organized crime committed at sea;

111. *Notes* that piracy and armed robbery at sea affect a wide range of vessels engaged in maritime activities;

112. *Emphasizes* the importance of promptly reporting incidents to enable accurate information on the scope of the problem of piracy and armed robbery against ships and, in the case of armed robbery against ships, by affected vessels to the coastal State, underlines the importance of effective information-sharing with States potentially affected by incidents of piracy and armed robbery against ships, and notes with appreciation the important role of the International Maritime Organization and the important contribution of the Information Sharing Centre of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, based in Singapore, which will mark its tenth anniversary in 2016;

113. *Urges* all States, in cooperation with the International Maritime Organization, to actively combat piracy and armed robbery at sea by adopting measures, including those relating to assistance with capacity-building through training of seafarers, port staff and enforcement personnel in the prevention, reporting and investigation of incidents, by bringing the alleged perpetrators to justice, in accordance with international law, and by adopting national legislation, as well as by providing enforcement vessels and equipment and guarding against fraudulent ship registration;

114. *Encourages* States to ensure effective implementation of international law applicable to combating piracy, as reflected in the Convention, calls upon States to take appropriate steps under their national law to facilitate, in accordance with international law, the apprehension and prosecution of those who are alleged to have committed acts of piracy, including the financing or facilitation of such acts, also taking into account other relevant instruments that are consistent with the Convention, and encourages States to cooperate, as appropriate, with a view to developing their national legislation in this regard;

115. *Expresses grave concern* at the threats posed by piracy and armed robbery at sea to the safety and welfare of seafarers and other persons;

116. *Invites* all States, the International Maritime Organization, the International Labour Organization and other relevant international organizations and agencies to adopt or recommend, as appropriate, measures to protect the interest and welfare of seafarers and fishers who are victims of pirates, after their release from captivity, including their post-incident care and reintegration into society;

117. *Notes* the ongoing cooperation between the International Maritime Organization, the United Nations Office on Drugs and Crime and the Division with respect to the compilation of national legislation on piracy, also notes that copies of national legislation received by the Secretariat have been placed on the website of the Division, and encourages the aforementioned bodies to further cooperate with the view to assisting Member States, upon request, in developing their national laws on piracy;

118. *Recognizes* continued national, bilateral and trilateral initiatives, as well as regional cooperative mechanisms, in accordance with international law, to address piracy, including the financing or facilitation of acts of piracy, and armed robbery at sea in the Asian region, and calls upon other States to give immediate attention to adopting, concluding and implementing cooperation agreements at the regional level on combating piracy and armed robbery against ships;

119. *Expresses serious concern* at the inhuman conditions hostages taken at sea face in captivity and also the adverse impact on their families, calls for the immediate release of all hostages taken at sea, and stresses the importance of cooperation among Member States on the issue of hostage-taking at sea;

120. *Welcomes*, in this regard, the ongoing work of the United Nations Office on Drugs and Crime Hostage Support Programme, funded by the Board of the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, in securing the release of seafarers held hostage off the coast of Somalia;[50]

121. *Also welcomes* the recent achievements against piracy and armed robbery at sea off the coast of Somalia resulting from efforts at the global and regional levels and the significant decrease in reported incidents of piracy off the coast of Somalia, which are at the lowest level since 2006, in that regard continues to be gravely concerned by the ongoing threat that piracy and armed robbery at sea continue to pose in the region off the coast of Somalia, notes the adoption by the Security Council of resolution 2246 (2015) of 10 November 2015, as well as the statements by the President of the Council of 25 August 2010[51] and of 19 November 2012,[52] also notes that the authorization in resolution 2246 (2015) and relevant resolutions[53] apply only with respect to the situation in Somalia and shall not affect the rights, obligations or responsibilities of Member States under international law, including any rights or obligations under the Convention, with respect to any other situation, and underscores, in particular, that they shall not be considered as establishing customary international law;

122. *Notes* the continued efforts within the Contact Group on Piracy off the Coast of Somalia, following the adoption of Security Council resolution

[50] See S/2013/623, paras. 11–13, and S/2014/740, para. 10.

[51] S/FRST/2010/16; see *Resolutions and Decisions of the Security Council, 1 August 2010–31 July 2011*.

[52] S/PRST/2012/24; see *Resolutions and Decisions of the Security Council, 1 August 2012–31 July 2013*.

[53] See Security Council resolution 2246 (2015), first preambular paragraph.

1851 (2008), and commends the contributions of all States in the efforts to fight piracy off the coast of Somalia;

123. *Recognizes* the primary role of the Federal Government of Somalia in combating piracy and armed robbery against ships off the coast of Somalia, acknowledges the importance of a comprehensive and sustainable settlement of the situation in Somalia, and emphasizes the need to address the underlying causes of piracy and to assist Somalia and States in the region in strengthening institutional capacity to fight piracy, including the financing or facilitation of acts of piracy, and armed robbery against ships off the coast of Somalia and to bring to justice those involved in such acts;

124. *Notes* the approval by the International Maritime Organization of the guidelines to assist in the investigation of the crimes of piracy and armed robbery against ships, revised interim guidance to shipowners, ship operators and shipmasters on the use of privately contracted armed security personnel on board ships in the high risk area, revised interim recommendations for flag States regarding the use of privately contracted armed security personnel on board ships in the high risk area, revised interim recommendations for port and coastal States regarding the use of privately contracted armed security personnel on board ships in the high risk area, interim guidance to private maritime security companies providing privately contracted armed security personnel on board ships in the high risk area, and interim guidance for flag States on measures to prevent and mitigate Somalia-based piracy;

125. *Encourages* States to ensure that ships flying their flag apply ship security measures approved in accordance with national and international law;

126. *Notes* the efforts made by the shipping industry to cooperate with the efforts by States regarding piracy off the coast of Somalia, in particular in assisting ships that navigate in that area, and recalls the adoption on 30 November 2011 by the Assembly of the International Maritime Organization of resolution A.1044(27) on piracy and armed robbery against ships in waters off the coast of Somalia;

127. *Also notes* the continued implementation of the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct), adopted on 29 January 2009 under the auspices of the International Maritime Organization, in the four thematic areas of information sharing, training, national legislation and capacity-building;

128. *Expresses its deep concern* at the continuing incidents of piracy and armed robbery at sea in the Gulf of Guinea, in particular violence against innocent crew members of vessels, notes the adoption by the Security Council of resolutions 2018 (2011) of 31 October 2011 and 2039 (2012) of 29 February 2012, supports the recent efforts to address this problem at the global and regional levels, recalls the primary role of States in the region to counter the threat and address the underlying causes of piracy and armed robbery at sea in the Gulf of Guinea, welcomes the adoption in Yaoundé on 25 June 2013 of the Code of Conduct concerning the Repression of Piracy, Armed Robbery against Ships, and Illegal Maritime Activity in West and Central Africa, and calls upon States in the region to implement the Code of Conduct as soon as possible and consistent with international law, in particular the Convention;

129. *Urges* States to ensure the full implementation of resolution A.1069(28) of the Assembly of the International Maritime Organization on prevention and

suppression of piracy, armed robbery against ships and illicit maritime activity in the Gulf of Guinea;

130. *Calls upon* States that have not yet done so to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation[54] and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf,[54] notes the entry into force on 28 July 2010 of the 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation[55] and of the 2005 Protocol to the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf,[56] invites States that have not yet done so to consider becoming parties to those Protocols, and urges States parties to take appropriate measures to ensure the effective implementation of those instruments through the adoption of legislation, where appropriate;

131. *Calls upon* States to effectively implement the International Ship and Port Facility Security Code and the amendments to the International Convention for the Safety of Life at Sea,[57] and to work with the International Maritime Organization to promote safe and secure shipping while ensuring freedom of navigation;

132. *Urges* all States, in cooperation with the International Maritime Organization, to improve the protection of offshore installations by adopting measures related to the prevention, reporting and investigation of acts of violence against installations, in accordance with international law, and by implementing such measures through national legislation to ensure proper and adequate enforcement;

133. *Emphasizes* the progress in regional cooperation, including the efforts of littoral States, on the enhancement of safety, security and environmental protection in the Straits of Malacca and Singapore, and the effective functioning of the Cooperative Mechanism on Safety of Navigation and Environmental Protection in the Straits of Malacca and Singapore (the Cooperative Mechanism) to promote dialogue and facilitate close cooperation between the littoral States, user States, shipping industries and other stakeholders in line with article 43 of the Convention, notes with appreciation the convening of the eighth Cooperation Forum, in Singapore, on 5 and 6 October 2015, the eighth Project Coordination Committee Meeting, in Singapore, on 9 October 2015, the fortieth Tripartite Technical Experts Group Meeting, in Singapore, on 7 and 8 October 2015, and the fourteenth and fifteenth Aids to Navigation Fund Committee Meetings, in Singapore, on 28 and 29 April 2015 and 1 and 2 October 2015, respectively, the events being key pillars of the Cooperative Mechanism, also notes with appreciation the important role of the Information Sharing Centre of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, based in Singapore, and calls upon States to give immediate attention to adopting, concluding and implementing cooperation agreements at the regional level;

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[54] United Nations, *Treaty Series*, vol. 1678, No. 29004.

[55] International Maritime Organization, document LEG/CONF.15/21.

[56] International Maritime Organization, document LEG/CONF.15/22.

[57] International Maritime Organization, documents SOLAS/CONF.5/32 and 34, and document MSC 81/25/Add.1, annex 2, resolution MSC.202(81), introducing the long-range identification and tracking of ships system.

134. *Recognizes* that some transnational organized criminal activities threaten legitimate uses of the oceans and endanger the lives of people at sea, as well as the livelihoods and security of coastal communities;

135. *Notes* that transnational organized criminal activities are diverse and may be interrelated in some cases and that criminal organizations are adaptive and take advantage of the vulnerabilities of States, in particular coastal and small island developing States in transit areas, and calls upon States and relevant intergovernmental organizations to increase cooperation and coordination at all levels to detect and suppress the smuggling of migrants, trafficking in persons and illicit trafficking in firearms, in accordance with international law;

136. *Recognizes* the importance of enhancing international cooperation at all levels to fight transnational organized criminal activities, including illicit traffic in narcotic drugs and psychotropic substances, within the scope of the United Nations instruments against illicit drug trafficking, as well as the smuggling of migrants, trafficking in persons and illicit trafficking in firearms and criminal activities at sea falling within the scope of the United Nations Convention against Transnational Organized Crime;[58]

137. *Notes with grave concern* the recent proliferation of, and endangerment of lives through, the smuggling of migrants by sea, underscores the necessity to address such situations in accordance with applicable international law, and encourages States, acting nationally or through relevant global or regional organizations, as appropriate, to provide technical assistance and capacity-building to flag, port, and coastal States, upon request, to enhance their capabilities to prevent smuggling of migrants and human trafficking by sea;

138. *Calls upon* States that have not yet done so to consider becoming parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[59] the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,[60] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[61] and to take appropriate measures to ensure their effective implementation;

139. *Calls upon* States to ensure freedom of navigation, the safety of navigation and the rights of transit passage, archipelagic sea lanes passage and innocent passage in accordance with international law, in particular the Convention;

140. *Welcomes* the work of the International Maritime Organization relating to the protection of shipping lanes of strategic importance and significance, and in particular in enhancing safety, security and environmental protection in straits used for international navigation, and calls upon that Organization, States bordering straits and user States to continue their cooperation to keep such straits safe, secure

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[58] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[59] Ibid., vol. 2241, No. 39574.

[60] Ibid., vol. 2326, No. 39574.

[61] Ibid., vol. 2237, No. 39574.

and environmentally protected and open to international navigation at all times, consistent with international law, in particular the Convention;

141. *Calls upon* user States and States bordering straits used for international navigation to continue to cooperate by agreement on matters relating to navigational safety, including safety aids for navigation, and the prevention, reduction and control of pollution from ships, and welcomes developments in this regard;

142. *Calls upon* States that have accepted the amendments to regulation XI-1/6 of the International Convention for the Safety of Life at Sea, 1974,[62] to implement the Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident,[63] which took effect on 1 January 2010, and, in particular, to comply with the mandatory submission of a marine safety investigation report to the International Maritime Organization for every marine safety investigation conducted into a very serious marine casualty to identify trends and develop knowledge and risk-based recommendations;[64]

143. *Notes* the adoption by the Assembly of the International Maritime Organization at its twenty-eighth session of the resolution on guidelines on the preservation and collection of evidence following an allegation of a serious crime having taken place on board a ship or following a report of a missing person from a ship, and pastoral and medical care of persons affected;[65]

144. *Recognizes* the important work of the International Hydrographic Organization, calls upon States that have not yet done so to consider becoming members of that Organization, encourages all its members to actively consider, in accordance with applicable rules and procedures, applications of States that wish to become members of that Organization, and urges all States to work with that Organization to increase the coverage of hydrographic information on a global basis to enhance capacity-building and technical assistance and to promote safe navigation, particularly through the production and use of accurate electronic navigational charts, especially in areas used for international navigation, in ports and where there are vulnerable or protected marine areas;

145. *Also recognizes* the importance of navigational warning services based on marine meteorological data for the safety of ships and lives at sea and the optimization of navigation routes, and notes the collaboration between the World Meteorological Organization and the International Maritime Organization for the enhancement of these services and their extension to the Arctic region;

146. *Encourages* States to continue their efforts in the implementation of all areas of the Action Plan for the Safety of Transport of Radioactive Material, approved by the Board of Governors of the International Atomic Energy Agency in March 2004;

147. *Notes* that cessation of the transport of radioactive materials through the regions of small island developing States is an ultimate desired goal of small island developing States and some other countries, and recognizes the right of freedom of navigation in accordance with international law; that States should maintain dialogue and consultation, in particular under the auspices of the International

[62] International Maritime Organization, document MSC 84/24/Add.1, annex 3, resolution MSC.257(84).

[63] International Maritime Organization, document MSC 84/24/Add.1, annex 1, resolution MSC.255(84).

[64] See International Maritime Organization, Assembly resolution A.1061(28).

[65] International Maritime Organization, Assembly resolution A.1091(28).

Atomic Energy Agency and the International Maritime Organization, with the aim of improved mutual understanding, confidence-building and enhanced communication in relation to the safe maritime transport of radioactive materials; that States involved in the transport of such materials are urged to continue to engage in dialogue with small island developing States and other States to address their concerns; and that these concerns include the further development and strengthening, within the appropriate forums, of international regulatory regimes to enhance safety, disclosure, liability, security and compensation in relation to such transport;

148. *Acknowledges*, in the context of paragraph 147 above, the potential environmental and economic impacts of maritime incidents and accidents on coastal States, in particular those related to the transport of radioactive materials, and emphasizes the importance of effective liability regimes in that regard;

149. *Encourages* States to draw up plans and to establish procedures to implement the Guidelines on Places of Refuge for Ships in Need of Assistance adopted by the International Maritime Organization on 5 December 2003;[66]

150. *Notes* the entry into force of the Nairobi International Convention on the Removal of Wrecks, 2007,[67] on 14 April 2015, and invites States that have not yet done so to consider becoming parties to this Convention;

151. *Requests* States to take appropriate measures with regard to ships flying their flag or of their registry to address hazards that may be caused by wrecks and drifting or sunken cargo to navigation or the marine environment;

152. *Calls upon* States to ensure that masters on ships flying their flag take the steps required by relevant instruments[68] to provide assistance to persons in distress at sea, and urges States to cooperate and to take all measures necessary to ensure the effective implementation of the amendments to the International Convention on Maritime Search and Rescue[69] and to the International Convention for the Safety of Life at Sea[70] relating to the delivery of persons rescued at sea to a place of safety, as well as of the associated Guidelines on the Treatment of Persons Rescued at Sea;[71]

153. *Recognizes* that all States must fulfil their search and rescue responsibilities in accordance with international law, including the Convention, reaffirms the ongoing need for the International Maritime Organization and other relevant organizations to assist, in particular, developing States both to increase and improve their search and rescue capabilities, including as appropriate through the establishment of additional rescue coordination centres and regional sub-centres, and to take effective action to address, to the extent feasible, the issue of unseaworthy ships and small craft within their national jurisdiction, and emphasizes in this regard the importance of cooperation for these purposes, including within the framework of the International Convention on Maritime Search and Rescue, 1979;[72]

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[66] International Maritime Organization, Assembly resolution A.949(23).

[67] International Maritime Organization, document LEG/CONF.16/19.

[68] The International Convention for the Safety of Life at Sea, 1974, the International Convention on Maritime Search and Rescue, 1979, as amended, the United Nations Convention on the Law of the Sea, 1982, and the International Convention on Salvage, 1989.

[69] International Maritime Organization, document MSC 78/26/Add.1, annex 5, resolution MSC.155(78).

[70] International Maritime Organization, document MSC 78/26/Add.1, annex 3, resolution MSC.153(78).

[71] International Maritime Organization, document MSC 78/26/Add.2, annex 34, resolution MSC.167(78).

[72] United Nations, *Treaty Series*, vol. 1405, No. 23489.

154. *Notes* the ongoing work of the International Maritime Organization, the Office of the United Nations High Commissioner for Refugees and other relevant actors in relation to disembarkation of persons rescued at sea, and notes in this regard the need to implement all relevant and applicable international instruments and the importance of cooperation among States as provided for in those instruments;

155. *Also notes* that "Protection at sea" was the theme of the seventh Dialogue on Protection Challenges of the High Commissioner for Refugees, held in Geneva on 10 and 11 December 2014;

156. *Invites* States to implement the Revised Guidelines on the Prevention of Access by Stowaways and the Allocation of Responsibilities to Seek the Successful Resolution of Stowaway Cases adopted by the International Maritime Organization on 2 December 2010;[73]

157. *Calls upon* States to continue to cooperate in developing comprehensive approaches to international migration and development, including through dialogue on all their aspects;

158. *Also calls upon* States to take measures to protect fibre-optic submarine cables and to fully address issues relating to these cables, in accordance with international law, as reflected in the Convention;

159. *Encourages* greater dialogue and cooperation among States and the relevant regional and global organizations through workshops and seminars on the protection and maintenance of fibre-optic submarine cables to promote the security of such critical communications infrastructure;

160. *Also encourages* the adoption by States of laws and regulations addressing the breaking or injury of submarine cables or pipelines beneath the high seas done wilfully or through culpable negligence by a ship flying its flag or by a person subject to its jurisdiction, in accordance with international law, as reflected in the Convention;

161. *Affirms* the importance of maintenance, including the repair, of submarine cables, undertaken in conformity with international law, as reflected in the Convention;

162. *Reaffirms* that flag, port and coastal States all bear responsibility for ensuring the effective implementation and enforcement of international instruments relating to maritime security and safety, in accordance with international law, in particular the Convention, and that flag States have primary responsibility that requires further strengthening, including through increased transparency of ownership of vessels and the monitoring of organizations authorized to carry out surveys and issue certificates on their behalf, taking into account the entry into force of the Code for Recognized Organizations on 1 January 2015;[74]

163. *Urges* flag States without an effective maritime administration and appropriate legal frameworks to establish or enhance the necessary infrastructure, legislative and enforcement capabilities to ensure effective compliance with and implementation and enforcement of their responsibilities under international law, in particular the Convention, and, until such action is taken, to consider declining the

[73] International Maritime Organization, document MSC 88/26/Add.1, annex 6, resolution MSC.312(88).

[74] International Maritime Organization, document MSC 92/26/Add.1, annex 1.

granting of the right to fly their flag to new vessels, suspending their registry or not opening a registry, and calls upon flag and port States to take all measures consistent with international law necessary to prevent the operation of substandard vessels;

164. *Recognizes* that international shipping rules and standards adopted by the International Maritime Organization in respect of maritime safety, efficiency of navigation and the prevention and control of marine pollution, complemented by best practices of the shipping industry, have led to a significant reduction in maritime accidents and pollution incidents, encourages all States to participate in the Voluntary International Maritime Organization Member State Audit Scheme,[75] and notes the decision of the International Maritime Organization to institutionalize the Audit Scheme, with the expected mandatory use of the International Maritime Organization Instruments Implementation Code (III Code) from 1 January 2016;[76]

165. *Welcomes* the adoption by the International Maritime Organization of the International Code for Ships Operating in Polar Waters (Polar Code), and encourages States and competent international organizations and bodies to support the effective implementation of the requirements of the Polar Code which are expected to enter into force on 1 January 2017;

166. *Notes* the ongoing work of the International Maritime Organization on matters related to passenger ship safety in light of recent accidents, and encourages States and competent international organizations and bodies to support continued efforts, including technical cooperation activities, to improve passenger ship safety;

167. *Recognizes* that maritime safety can also be improved through effective port State control, the strengthening of regional arrangements and increased coordination and cooperation among them and increased transparency and information-sharing, including among safety and security sectors;

168. *Encourages* flag States to take appropriate measures sufficient to achieve or maintain recognition by intergovernmental arrangements that recognize satisfactory flag State performance, including, as appropriate, satisfactory port State control examination results on a sustained basis, with a view to improving quality shipping and furthering flag State implementation of relevant instruments under the International Maritime Organization as well as relevant goals and objectives of the present resolution;

IX

Marine environment and marine resources

169. *Emphasizes once again* the importance of the implementation of Part XII of the Convention in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation, and calls upon all States to cooperate and take measures consistent with the Convention, directly or through competent international organizations, for the protection and preservation of the marine environment;

170. *Recalls* that in "The future we want", States noted with concern that the health of oceans and marine biodiversity are negatively affected by marine pollution, including marine debris, especially plastic, persistent organic pollutants,

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[75] International Maritime Organization, Assembly resolution A.946(23).

[76] See International Maritime Organization, Assembly resolutions A.1018(26), A.1067(28), A.1068(28) and A.1070(28).

heavy metals and nitrogen-based compounds, from a number of marine and land-based sources, including shipping and land run-off, and that States committed to take action to reduce the incidence and impacts of such pollution on marine ecosystems, including through the effective implementation of relevant conventions adopted in the framework of the International Maritime Organization, and the follow-up of relevant initiatives such as the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,[77] as well as the adoption of coordinated strategies to this end, and that they further committed to take action, by 2025, based on collected scientific data, to achieve significant reductions in marine debris to prevent harm to the coastal and marine environment;

171. *Encourages* States, in accordance with the commitment expressed in "The future we want" and based on collected scientific data, to take action by 2025 to achieve significant reductions in marine debris to prevent harm to the coastal and marine environment;

172. *Notes* the work of the Intergovernmental Panel on Climate Change, notes with concern its recent findings on the acidification of oceans and the impact thereon, as well as the findings of the World Meteorological Organization contained in its annual *Greenhouse Gas Bulletin*, and in this regard encourages States and competent international organizations and other relevant institutions, individually and in cooperation, to urgently pursue further research on ocean acidification, especially programmes of observation and measurement, noting in particular the continued work under the Convention on Biological Diversity[78] and paragraphs 6 to 10 of decision XII/23 on marine and coastal biodiversity, adopted at the twelfth meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Pyeongchang, Republic of Korea, from 6 to 17 October 2014,[79] and to increase national, regional and global efforts to address levels of ocean acidity and the negative impact of such acidity on vulnerable marine ecosystems, particularly coral reefs;

173. *Expresses concern*, in this regard, at the recent findings of the Intergovernmental Panel on Climate Change on the acidification of the oceans and the substantial risks to marine ecosystems, especially polar ecosystems and coral reefs, and the potentially detrimental consequences for fisheries and livelihoods;

174. *Recalls* that in "The future we want", States called for support for initiatives that address ocean acidification and the impacts of climate change on marine and coastal ecosystems and resources and, in this regard, reiterated the need to work collectively to prevent further ocean acidification, as well as to enhance the resilience of marine ecosystems and of the communities whose livelihoods depend on them, and to support marine scientific research, monitoring and observation of ocean acidification and particularly vulnerable ecosystems, including through enhanced international cooperation in this regard;

175. *Welcomes*, in this regard, the holding in Monaco, from 12 to 14 January 2015, of the third International Workshop on the Socioeconomic Impacts of Ocean Acidification, on the theme "Bridging the gap between ocean acidification and economic valuation", organized by the Scientific Centre of Monaco and the Ocean

[77] A/51/116, annex II.

[78] United Nations, *Treaty Series*, vol. 1760, No. 30619.

[79] See United Nations Environment Programme, document UNEP/CBD/COP/12/29, Sect. I.

Acidification International Coordination Centre of the International Atomic Energy Agency;

176. *Notes with concern* the approximately 30 per cent increase in the acidity of ocean surface waters since the beginning of the industrial era[80] and the wide range of impacts associated with the continuing and alarming acidification of the world's oceans, and urges States to make significant efforts to tackle the causes of ocean acidification, recognizing countries national circumstances and respective capabilities, and to further study and minimize its impacts, to enhance local, national, regional and global cooperation in this regard, including the sharing of relevant information and the development of worldwide capacity, including in developing countries, to measure ocean acidification, and to take steps to make marine ecosystems healthier and, as a result, more resilient, to the extent possible, to the impacts of ocean acidification;

177. *Recognizes* the attention paid to ocean acidification at the fourteenth meeting of the Informal Consultative Process, and commits itself to continue to pay attention to this important issue, including by taking into account the first global integrated marine assessment and the ongoing work of the Ocean Acidification International Coordination Centre;

178. *Encourages* States, individually or in collaboration with relevant international organizations and bodies, to enhance their scientific activity to better understand the effects of climate change on the marine environment and marine biodiversity and develop ways and means of adaptation, taking into account, as appropriate, the precautionary approach and ecosystem approaches;

179. *Notes* the convening of the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, in Paris, from 30 November to 11 December 2015, recognizes the importance of raising awareness of the adverse impact of climate change on the marine environment, marine biodiversity and sea level, and notes that Oceans Day at the twenty-first session of the Conference of the Parties was held on 4 December 2015;

180. *Encourages* States that have not yet done so to become parties to international agreements addressing the protection and preservation of the marine environment and its living marine resources against the introduction of harmful aquatic organisms and pathogens and marine pollution from all sources, including the dumping of wastes and other matter, and other forms of physical degradation, as well as agreements that provide for preparedness for, response to and cooperation on pollution incidents and that include provisions on liability and compensation for damage resulting from marine pollution, and to adopt the necessary measures consistent with international law, including the Convention, aimed at implementing and enforcing the rules contained in those agreements;

181. *Recalls* that in "The future we want", States noted the significant threat that alien invasive species pose to marine ecosystems and resources and committed to implement measures to prevent the introduction and manage the adverse environmental impacts of alien invasive species, including, as appropriate, those adopted in the framework of the International Maritime Organization;

[80] As stated in the 2013 report of Working Group I of the Intergovernmental Panel on Climate Change on the physical science basis of climate change.

182. *Encourages* States that have not yet done so to consider ratifying or acceding to the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004,[81] thereby facilitating its early entry into force;

183. *Encourages* States, directly or through competent international organizations, to consider the further development and application, as appropriate and consistent with international law, including the Convention, of environmental impact assessment processes covering planned activities under their jurisdiction or control that may cause substantial pollution of or significant and harmful changes to the marine environment, and also encourages the communication of the reports of the results of such assessments to the competent international organizations in accordance with the Convention;

184. *Encourages* States that have not done so to become parties to regional seas conventions addressing the protection and preservation of the marine environment;

185. *Encourages* States, in accordance with international law, including the Convention and other relevant instruments, either bilaterally or regionally, to jointly develop and promote contingency plans for responding to pollution incidents, as well as other incidents that are likely to have significant adverse effects on the marine environment and biodiversity;

186. *Recognizes* the importance of improving understanding of the impact of climate change on oceans and seas, and recalls that in "The future we want", States noted that sea-level rise and coastal erosion are serious threats for many coastal regions and islands, particularly in developing countries and, in this regard, called upon the international community to enhance its efforts to address these challenges;

187. *Notes with concern* the severe impacts on coastal communities of extreme weather events such as tropical cyclones and associated storm surges, and encourages cooperative actions by relevant United Nations bodies and organizations, including the World Meteorological Organization, to assist States in improving forecasting of such events and its application in multi-hazard early warning systems and risk management;

188. *Also notes with concern* that the health of the oceans and marine biodiversity are negatively affected by marine debris, especially plastic, from land-based and marine sources, and invites States to implement resolution 1/6 on marine plastic debris and microplastics, adopted by the United Nations Environment Assembly of the United Nations Environment Programme at its first session, held in Nairobi from 23 to 27 June 2014;[82]

189. *Recognizes* the need for better understanding of the sources, amounts, pathways, distribution, trends, nature and impacts of marine debris, especially plastic, and to examine possible measures and best available techniques and environmental practices to prevent its accumulation and minimize its levels in the marine environment, and welcomes in this regard the work conducted under the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection, led by the Intergovernmental Oceanographic Commission, and its report entitled "Sources, fate and effects of microplastics in the marine environment – a global assessment";

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[81] International Maritime Organization, document BWM/CONF/36, annex.

[82] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 25* (A/69/25), annex.

190. *Acknowledges* the request by the United Nations Environment Assembly in its resolution 1/6 to the Executive Director of the United Nations Environment Programme to undertake a study on marine plastic debris and marine microplastics, and to present the study for the consideration of that Assembly at its second session, in May 2016, recalls the invitation to Statesto share relevant information with the Executive Director pertinent to this study, and notes that the Informal Consultative Process will focus its discussions at its seventeenth meeting on the theme "Marine debris, plastics and microplastics";

191. *Welcomes* the activities of relevant United Nations bodies and organizations, in particular the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations and the International Maritime Organization and other intergovernmental organizations, to address the sources and impacts of marine debris, including through the Global Partnership on Marine Litter, as well as actions relating to marine debris taken under the Convention on the Conservation of Migratory Species of Wild Animals,[83] in particular the adoption by the Conference of the Parties to that Convention at its eleventh meeting of resolution 11.30 on management of marine debris, and notes the recent work of the International Whaling Commission on assessing the impacts of marine debris on cetaceans;

192. *Encourages* States to further develop partnerships with industry and civil society to raise awareness of the extent of the impact of marine debris on the biological diversity, health and productivity of the marine environment and consequent economic loss, and encourages States to cooperate, as appropriate, to address marine debris and microplastics in the marine environment;

193. *Urges* States to integrate the issue of marine debris into national and, as appropriate, regional strategies dealing with waste management, especially in the coastal zone, ports and maritime industries, including recycling, reuse, reduction and disposal, to consider developing an integrated waste management infrastructure and to encourage the development of appropriate economic incentives with the aim of reducing marine debris to address this issue, including the development of cost-recovery systems that provide an incentive to use port reception facilities and discourage ships from discharging marine debris at sea, and support for measures to prevent, reduce and control pollution from any source, including land-based sources, such as community-based coastal and waterway clean-up and monitoring activities, and encourages States to cooperate regionally and subregionally to identify potential sources and coastal and oceanic locations where marine debris aggregates and to develop and implement joint prevention and recovery programmes for marine debris as well as to raise awareness of the issue of marine debris and the need to consider environmentally sound options for its removal;

194. *Notes* the work of the International Maritime Organization to prevent pollution from ships;

195. *Encourages* States that have not yet done so to become parties to the Protocol of 1997 (annex VI – Regulations for the Prevention of Air Pollution from Ships) to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended;[84]

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[83] United Nations, *Treaty Series*, vol. 1651, No. 28395.

[84] International Maritime Organization, document MEPC 62/24/Add.1, annex 19, resolution MEPC.203(62).

196. *Encourages* States that have not yet done so to become parties to the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (the London Protocol);

197. *Notes* the ongoing work of the International Maritime Organization and the resolution on International Maritime Organization policies and practices related to the reduction of greenhouse gas emissions from ships;[85]

198. *Urges* States to cooperate in correcting the shortfall in port waste reception facilities in accordance with the action plan to address the inadequacy of port waste reception facilities developed by the International Maritime Organization;

199. *Recognizes* that most of the pollution load of the oceans emanates from land-based activities and affects the most productive areas of the marine environment, and calls upon States, as a matter of priority, to implement the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities and to take all appropriate measures to fulfil the commitments of the international community embodied in the Manila Declaration on Furthering the Implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities;[86]

200. *Expresses its concern* regarding the spreading of hypoxic dead zones and harmful algal blooms in oceans as a result of eutrophication fuelled by riverine run-off of fertilizers, sewage outfall and reactive nitrogen resulting from the burning of fossil fuels and resulting in serious consequences for ecosystem functioning, and calls upon States to enhance their efforts to reduce eutrophication, particularly by reducing total nutrient pollution from land-based sources and, to this effect, to continue to cooperate within the framework of relevant international organizations, in particular the Global Programme of Action;

201. *Calls upon* all States to ensure that urban and coastal development projects and related land-reclamation activities are carried out in a responsible manner that protects the marine habitat and environment and mitigates the negative consequences of such activities;

202. *Encourages* States that have not yet done so to take, as soon as possible, the domestic measures necessary to enable them to meet their obligations upon ratification and thereafter to ratify, accept, approve or accede to the Minamata Convention on Mercury,[87] with a view to its entry into force as soon as possible;

203. *Welcomes* the continued work of States, the United Nations Environment Programme and regional organizations in the implementation of the Global Programme of Action, and encourages increased emphasis on the link between fresh water, the coastal zone and marine resources in the implementation of international development goals, including those contained in the United Nations Millennium Declaration,[9] and of the time-bound targets in the Plan of Implementation of the World Summit on Sustainable Development (Johannesburg Plan of

[85] International Maritime Organization, Assembly resolution A.963(23).

[86] United Nations Environment Programme, document UNEP(DEPI)/GPA/IGR.3/6, annex.

[87] United Nations Environment Programme, document UNEP(DTIE)/Hg/CONF/4, annex II.

Implementation),[18] in particular the target on sanitation, and the Monterrey Consensus of the International Conference on Financing for Development;[88]

204. *Recalls* the resolution of the thirtieth Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (the London Convention) and the third Meeting of Contracting Parties to the London Protocol, held from 27 to 31 October 2008, on the regulation of ocean fertilization,[89] in which the Contracting Parties agreed, inter alia, that the scope of the London Convention and Protocol includes ocean fertilization activities and that, given the present state of knowledge, ocean fertilization activities other than for legitimate scientific research should not be allowed, and that scientific research proposals should be assessed on a case-by-case basis using an assessment framework to be developed by the scientific groups under the London Convention and Protocol, and also agreed that, to this end, such other activities should be considered as contrary to the aims of the London Convention and Protocol and should not currently qualify for any exemption from the definition of dumping in article III, paragraph 1 (*b*), of the London Convention and article 1, paragraph 4.2, of the London Protocol;

205. *Also recalls* the resolution of the thirty-second Consultative Meeting of Contracting Parties to the London Convention and the fifth Meeting of Contracting Parties to the London Protocol, held from 11 to 15 October 2010, on the Assessment Framework for Scientific Research Involving Ocean Fertilization;[90]

206. *Notes* the continued work of the Contracting Parties to the London Convention and Protocol towards a global, transparent and effective control and regulatory mechanism for ocean fertilization activities and other activities that fall within the scope of the London Convention and Protocol and have the potential to cause harm to the marine environment, and notes the recent amendments to the Protocol on this matter;[91]

207. *Recalls* decision IX/16 C, adopted at the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Bonn, Germany, from 19 to 30 May 2008,[92] in which the Conference of the Parties, inter alia, bearing in mind the ongoing scientific and legal analysis occurring under the auspices of the London Convention and Protocol, requested parties and urged other Governments, in accordance with the precautionary approach, to ensure that ocean fertilization activities were not carried out until there was an adequate scientific basis on which to justify such activities, including an assessment of associated risks, and that a global, transparent and effective control and regulatory mechanism was in place for those activities, with the exception of small-scale scientific research studies within coastal waters, and stated that such studies should be authorized only if justified by the need to gather specific scientific data, should be subject to a thorough prior assessment of the potential impacts of the research studies on the marine environment, should be strictly controlled and should not be used for generating and selling carbon offsets or for any other commercial purposes, and takes note of

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[88] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[89] International Maritime Organization, document LC 30/16, annex 6, resolution LC-LP.1 (2008).

[90] International Maritime Organization, document LC 32/15 and Corr.1, annex 5, resolution LC-LP.2 (2010).

[91] International Maritime Organization, document LC 35/15, annex 4, resolution LP.4(8).

[92] See United Nations Environment Programme, document UNEP/CBD/COP/9/29, annex I.

decision X/29, adopted at the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity, held in Nagoya, Japan, from 18 to 29 October 2010,[93] in which the Conference of the Parties requested parties to implement decision IX/16 C;

208. *Also recalls* that in "The future we want", States stressed their concern about the potential environmental impacts of ocean fertilization, recalled in this regard the decisions related to ocean fertilization adopted by the relevant intergovernmental bodies, and resolved to continue addressing ocean fertilization with utmost caution, consistent with the precautionary approach;

209. *Reaffirms* paragraph 119 of resolution 61/222 of 20 December 2006 regarding ecosystem approaches and oceans, including the proposed elements of an ecosystem approach, means to achieve implementation of an ecosystem approach and requirements for improved application of an ecosystem approach, and in this regard:

(*a*) Notes that continued environmental degradation in many parts of the world and increasing competing demands require an urgent response and the setting of priorities for management actions aimed at conserving ecosystem integrity;

(*b*) Also notes that ecosystem approaches to ocean management should be focused on managing human activities in order to maintain and, where needed, restore ecosystem health to sustain goods and environmental services, provide social and economic benefits for food security, sustain livelihoods in support of international development goals, including those contained in the Millennium Declaration, and conserve marine biodiversity;

(*c*) Recalls that States should be guided in the application of ecosystem approaches by a number of existing instruments, in particular the Convention, which sets out the legal framework for all activities in the oceans and seas, and its implementing Agreements, as well as other commitments, such as those contained in the Convention on Biological Diversity and the World Summit on Sustainable Development call for the application of an ecosystem approach by 2010, and in this context encourages States to enhance their efforts towards applying such an approach;

(*d*) Encourages States to cooperate and coordinate their efforts and take, individually or jointly, as appropriate, all measures, in conformity with international law, including the Convention and other applicable instruments, to address impacts on marine ecosystems within and beyond areas of national jurisdiction, taking into account the integrity of the ecosystems concerned;

210. *Recalls* that in "The future we want", States committed themselves to protect and restore the health, productivity and resilience of oceans and marine ecosystems, to maintain their biodiversity, enabling their conservation and sustainable use for present and future generations, and to effectively apply an ecosystem approach and the precautionary approach in the management, in accordance with international law, of activities having an impact on the marine environment, to deliver on all three dimensions of sustainable development;

[93] See United Nations Environment Programme, document UNEP/CBD/COP/10/27, annex.

211. *Encourages* competent organizations and bodies that have not yet done so to incorporate an ecosystem approach into their mandates, as appropriate, in order to address impacts on marine ecosystems;

212. *Invites* States, in particular those States with advanced technology and marine capabilities, to explore prospects for improving cooperation with and assistance to developing States, in particular least developed countries and small island developing States, as well as coastal African States, with a view to better integrating into national policies and programmes sustainable and effective development in the marine sector;

213. *Notes* the information compiled by the Secretariat[94] in relation to the assistance available to and measures that may be taken by developing States, in particular the least developed countries and small island developing States, as well as coastal African States, to realize the benefits of sustainable and effective development of marine resources and uses of the oceans, as provided by States and competent international organizations and global and regional funding agencies, and urges them to provide information for the annual report of the Secretary-General and for incorporation on the website of the Division;

214. *Encourages* States that have not yet done so to consider ratifying or acceding to the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009,[95] to facilitate its early entry into force;

215. *Encourages* continued cooperation between the parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal[96] and the International Maritime Organization on regulations on the prevention of pollution from ships;

216. *Notes* the role of the Basel Convention in protecting the marine environment against the adverse effects which may result from such wastes;

217. *Notes with concern* the potential for serious environmental consequences resulting from oil spill incidents or pollution incidents involving hazardous or noxious substances, urges States, consistent with international law, to cooperate, directly or through competent international organizations, and share best practices, in the fields of protection of the marine environment, human health and safety, prevention, emergency response and mitigation, and in this regard encourages the undertaking of and collaboration on scientific research, including marine scientific research, to better understand the consequences of marine oil spills or marine spills involving hazardous or noxious substances;

218. *Encourages* States that have not yet done so to consider ratifying or acceding to the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990,[97] and the Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances, 2000, of the International Maritime Organization, and in this regard to consider developing and joining regional arrangements to enhance international cooperation for combating major oil and hazardous substances pollution incidents;

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[94] A/63/342.

[95] International Maritime Organization, document SR/CONF/45.

[96] United Nations, *Treaty Series*, vol. 1673, No. 28911.

[97] Ibid., vol. 1891, No. 32194.

219. *Encourages* States to consider becoming parties to the 2010 Protocol to the 1996 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea;[98]

X

Marine biodiversity

220. *Reaffirms* its central role relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction;

221. *Notes* the work and contributions of States and relevant intergovernmental organizations and bodies in the context of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction;

222. *Recalls*, in this regard, its resolution 69/292, entitled "Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction";

223. *Recognizes* the abundance and diversity of marine genetic resources and their value in terms of the benefits, goods and services they can provide;

224. *Also recognizes* the importance of research on marine genetic resources for the purpose of enhancing the scientific understanding, potential use and application, and enhanced management of marine ecosystems;

225. *Encourages* States and international organizations, including through bilateral, regional and global cooperation programmes and partnerships, to continue in a sustainable and comprehensive way to support, promote and strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research, taking into account, in particular, the need to create greater taxonomic capabilities;

226. *Notes* the work under the Jakarta Mandate on Marine and Coastal Biological Diversity[99] and the Convention on Biological Diversity elaborated programme of work on marine and coastal biological diversity,[100] and, while reiterating the central role of the General Assembly relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, notes with appreciation the complementary technical and scientific work done by the Conference of the Parties to the Convention on Biological Diversity;

227. *Reaffirms* the need for States, individually or through competent international organizations, to urgently consider ways to integrate and improve, based on the best available scientific information and the precautionary approach and in accordance with the Convention and related agreements and instruments, the management of risks to the marine biodiversity of seamounts, cold water corals, hydrothermal vents and certain other underwater features;

228. *Calls upon* States and international organizations to urgently take further action to address, in accordance with international law, destructive practices that

[98] International Maritime Organization, document LEG/CONF.17/10.

[99] See A/51/312, annex II, decision II/10.

[100] United Nations Environment Programme, document UNEP/CBD/COP/7/21, annex, decision VII/5, annex I.

have adverse impacts on marine biodiversity and ecosystems, including seamounts, hydrothermal vents and cold water corals;

229. *Calls upon* States to strengthen, in a manner consistent with international law, in particular the Convention, the conservation and management of marine biodiversity and ecosystems and national policies in relation to marine protected areas;

230. *Recalls* that in "The future we want", States reaffirmed the importance of area-based conservation measures, including marine protected areas, consistent with international law and based on best available scientific information, as a tool for conservation of biological diversity and sustainable use of its components, and noted decision X/2 of the tenth Meeting of the Conference of the Parties to the Convention on Biological Diversity, that by 2020, 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are to be conserved through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures;[93]

231. *Encourages* States, in this regard, to further progress towards the establishment of marine protected areas, including representative networks, and calls upon States to further consider options to identify and protect ecologically or biologically significant areas, consistent with international law and on the basis of the best available scientific information;

232. *Reaffirms* the need for States to continue and intensify their efforts, directly and through competent international organizations, to develop and facilitate the use of diverse approaches and tools for conserving and managing vulnerable marine ecosystems, including the possible establishment of marine protected areas, consistent with international law, as reflected in the Convention, and based on the best scientific information available;

233. *Notes* the work of States, relevant intergovernmental organizations and bodies, including the Convention on Biological Diversity, in the assessment of scientific information on and compilation of ecological criteria for the identification of marine areas that may require protection, in the light of the objective of the World Summit on Sustainable Development to develop and facilitate the use of diverse approaches and tools, such as ecosystem approaches and the establishment of marine protected areas consistent with international law, as reflected in the Convention, and based on scientific information, including representative networks;[18]

234. *Recalls* that the Conference of the Parties to the Convention on Biological Diversity, at its ninth meeting, adopted scientific criteria for identifying ecologically or biologically significant marine areas in need of protection in open-ocean waters and deep-sea habitats and scientific guidance for selecting areas to establish a representative network of marine protected areas, including in open-ocean waters and deep-sea habitats,[101] notes the ongoing work under the Convention on Biological Diversity on the application of the scientific criteria for ecologically or biologically significant marine areas through the organization of a series of regional workshops, and also recalls that the Food and Agriculture Organization of the United Nations has developed guidance for the identification of vulnerable

[101] United Nations Environment Programme, document UNEP/CBD/COP/9/29, annex I, decision IX/20, annexes I and II.

marine ecosystems through the International Guidelines for the Management of Deep-sea Fisheries in the High Seas;

235. *Notes* the ongoing work of the International Maritime Organization to identify and designate as Particularly Sensitive Sea Areas marine areas which are recognized for their significance in terms of ecological, socioeconomic or scientific criteria and are vulnerable to damage by international shipping activities;[102]

236. *Acknowledges* the Micronesia Challenge, the Eastern Tropical Pacific Seascape project, the Caribbean Challenge and the Coral Triangle Initiative, which in particular seek to create and link domestic marine protected areas to better facilitate ecosystem approaches, and reaffirms the need for further international cooperation, coordination and collaboration in support of such initiatives;

237. *Reiterates its support* for the International Coral Reef Initiative, notes the International Coral Reef Initiative General Meeting held in Okinawa, Japan, from 20 to 23 October 2014, and supports the elaborated programme of work of the Convention on Biological Diversity on marine and coastal biological diversity related to coral reefs under the Jakarta Mandate on Marine and Coastal Biological Diversity;

238. *Recalls* that in "The future we want", States recognized the significant economic, social and environmental contributions of coral reefs, in particular to islands and other coastal States, as well as the significant vulnerability of coral reefs and mangroves to impacts, including from climate change, ocean acidification, overfishing, destructive fishing practices and pollution, and supported international cooperation with a view to conserving coral reef and mangrove ecosystems and realizing their social, economic and environmental benefits, as well as facilitating technical collaboration and voluntary information-sharing;

239. *Encourages* States and relevant international institutions to improve efforts to address coral bleaching by, inter alia, improving monitoring to predict and identify bleaching events, supporting and strengthening action taken during such events and improving strategies to manage reefs to support their natural resilience and enhance their ability to withstand other pressures, including ocean acidification, and in this regard also encourages States to implement the priority actions to achieve Aichi Biodiversity Target 10 for coral reefs and closely associated ecosystems, adopted by the twelfth meeting of the Conference of the Parties to the Convention on Biological Diversity;[79]

240. *Encourages* States to cooperate, directly or through competent international bodies, in exchanging information in the event of accidents involving vessels on coral reefs and in promoting the development of economic assessment techniques for both restoration and non-use values of coral reef systems;

241. *Emphasizes* the need to mainstream sustainable coral reef management and integrated watershed management into national development strategies, as well as into the activities of relevant United Nations agencies and programmes, international financial institutions and the donor community;

242. *Notes* that ocean noise has potential significant adverse impacts on living marine resources, affirms the importance of sound scientific studies in addressing this matter, encourages further research, studies and consideration of the impacts of

[102] International Maritime Organization, Assembly resolution A.982(24).

ocean noise on living marine resources, notes the work of States and competent international organizations in that regard, and requests the Division to continue to compile the peer-reviewed scientific studies it receives from Member States and intergovernmental organizations pursuant to paragraph 107 of resolution 61/222 and, as appropriate, to make them, or references and links to them, available on its website;

243. *Notes* the approval of the International Maritime Organization Guidelines for the reduction of underwater noise from commercial shipping to address adverse impacts on marine life;

XI

Marine science

244. *Calls upon* States, individually or in collaboration with each other or with competent international organizations and bodies, to continue to strive to improve understanding and knowledge of the oceans and the deep sea, including, in particular, the extent and vulnerability of deep sea biodiversity and ecosystems, by increasing their marine scientific research activities in accordance with the Convention;

245. *Encourages*, in that regard, relevant international organizations and other donors to consider supporting the Endowment Fund of the International Seabed Authority in order to promote the conduct of collaborative marine scientific research in the international seabed area by supporting the participation of qualified scientists and technical personnel from developing countries in relevant programmes, initiatives and activities;

246. *Notes with concern* that human-related threats, such as marine debris, ship strikes, underwater noise, persistent contaminants, coastal development activities, oil spills and discarded fishing gear, together may severely impact marine life, including its higher trophic levels, and calls upon States and competent international organizations to cooperate and coordinate their research efforts in this regard so as to reduce these impacts and preserve the integrity of the whole marine ecosystem while fully respecting the mandates of relevant international organizations;

247. *Notes* the partnership between the Division and the Intergovernmental Oceanographic Commission on a training programme on marine scientific research under the Convention, and encourages States, relevant international organizations and other donors to consider supporting the initiative;

248. *Welcomes*, in this regard, the launch by the Division and the Korea Maritime Institute in cooperation with the Intergovernmental Oceanographic Commission of the programme entitled "Promote and facilitate the conduct of marine scientific research under the United Nations Convention on the Law of the Sea", with the aim of assisting developing countries, especially small island developing States, to build their capacities in the field of marine scientific research;

249. *Invites* all relevant organizations, funds, programmes and bodies within the United Nations system, in consultation with interested States, to coordinate relevant activities with regional and national marine scientific and technological centres in small island developing States, as appropriate, to ensure the more effective achievement of their objectives in accordance with relevant United Nations small island developing States development programmes and strategies;

250. *Welcomes* the resolution adopted by the Assembly of the Intergovernmental Oceanographic Commission at its twenty-eighth session, held in Paris from 18 to 25 June 2015, regarding adoption of the Second International Indian Ocean Expedition as an important catalyst project linking Indian Ocean processes to the global ocean and atmosphere, officially launched in Goa, India, on 4 December 2015 for an initial period of five years, and invites States to participate in this initiative;

251. *Notes with appreciation* the work of the Intergovernmental Oceanographic Commission, with the advice of the Advisory Body of Experts on the Law of the Sea, on the development of procedures for the implementation of Parts XIII and XIV of the Convention;

252. *Also notes with appreciation* the work of the Advisory Body of Experts, including its work in cooperation with the Division, on the practice of member States related to marine scientific research and transfer of marine technology within the framework of the Convention, and welcomes the decision of the Executive Council of the Intergovernmental Oceanographic Commission at its forty-fifth session, held in Paris from 26 to 28 June 2012, that the Advisory Body will continue its work focused on priorities as tasked by Intergovernmental Oceanographic Commission governing bodies in line with the terms of reference, mobilizing extrabudgetary resources when necessary;

253. *Recalls* the issuance of the revised publication entitled *Marine Scientific Research: A guide to the implementation of the relevant provisions of the United Nations Convention on the Law of the Sea* in December 2010, and requests the Secretariat to continue to make efforts to publish the guide in all official languages of the United Nations;

254. *Notes with appreciation* the contribution to marine biodiversity research of the Ocean Biogeographic Information System, a free and open-access data holding and sharing facility, hosted by the Intergovernmental Oceanographic Commission;

255. *Welcomes* the increasing attention being focused on oceans as a potential source of renewable energy, and notes in this regard the summary of discussions of the Informal Consultative Process at its thirteenth meeting;[103]

256. *Stresses* the importance of increasing the scientific understanding of the oceans-atmosphere interface, including through participation in ocean observing programmes and geographic information systems, such as the Global Ocean Observing System, sponsored by the Intergovernmental Oceanographic Commission, the United Nations Environment Programme, the World Meteorological Organization and the International Council for Science, particularly considering their role in monitoring and forecasting climate change and variability and in the establishment and operation of tsunami warning systems;

257. *Welcomes* the progress made by the Intergovernmental Oceanographic Commission and Member States towards the establishment and operation of regional and national tsunami warning and mitigation systems, also welcomes the continued collaboration of the United Nations and other intergovernmental organizations in this effort, further welcomes the development and recent dissemination of the new Enhanced Tsunami Products for the Pacific Tsunami

[103] A/67/120.

Warning and Mitigation System and the development of Enhanced Tsunami Products for the Tsunami and Other Coastal Hazards Warning System for the Caribbean and Adjacent Regions, which will assist countries in the Pacific and the Caribbean to assess tsunami threats and issue warnings, and encourages Member States to establish and sustain their national warning and mitigation systems, within a global, ocean-related multi-hazard approach, as necessary, to reduce loss of life and damage to national economies and strengthen the resilience of coastal communities to natural disasters;

258. *Stresses* the need for continued efforts in developing mitigation and preparedness measures for natural disasters, particularly following tsunami events caused by earthquakes, such as the 11 March 2011 event in Japan;

259. *Urges* States to take necessary action and to cooperate in relevant organizations, including the Food and Agriculture Organization of the United Nations, the Intergovernmental Oceanographic Commission and the World Meteorological Organization, to address damage to ocean data buoys deployed and operated in accordance with international law, including through education and outreach about the importance and purpose of these buoys, and by strengthening these buoys against such damage, and increasing reporting of such damage;

XII

Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

260. *Reiterates* the need to strengthen the regular scientific assessment of the state of the marine environment in order to enhance the scientific basis for policymaking;

261. *Recalls* that in "The future we want", States expressed their support for the Regular Process, looked forward to the completion of its first global integrated assessment of the state of the marine environment by 2014 and its subsequent consideration by the General Assembly, and encouraged consideration by States of the assessment findings at appropriate levels;

262. *Welcomes* the holding of the sixth meeting of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, convened in New York from 8 to 11 September 2015 in accordance with paragraph 264 of resolution 69/245;

263. *Endorses* the recommendations adopted by the Ad Hoc Working Group of the Whole at its sixth meeting;[5]

264. *Reaffirms* the principles guiding the Regular Process and the objective and scope of its first cycle (2010–2014) as agreed upon at the first meeting of the Ad Hoc Working Group of the Whole in 2009;[104]

265. *Recalls* that the Regular Process, as established under the United Nations, is accountable to the General Assembly and is an intergovernmental process guided by international law, including the Convention and other applicable international instruments, and takes into account relevant Assembly resolutions;

[104] See A/64/347, annex.

266. *Welcomes with appreciation* the first global integrated marine assessment (World Ocean Assessment), and approves its summary;[4]

267. *Recognizes* the importance of the assessment, including for the small island developing States;

268. *Recognizes with utmost appreciation* the work of the members of the Group of Experts of the Regular Process during the entire first cycle of the Regular Process and, in particular, the work carried out with respect to the assessment;[105]

269. *Also recognizes with utmost appreciation* the work of those members of the pool of experts who contributed to the preparation of the assessment;

270. *Recognizes with appreciation* the support provided by the Division, as the secretariat of the Regular Process, during the first cycle of the Regular Process;

271. *Also recognizes with appreciation* the important role of the Bureau of the Ad Hoc Working Group of the Whole, and thanks the members of the Bureau for their guidance during the intersessional periods;

272. *Further recognizes with appreciation* those organizations that contributed to the first cycle of the Regular Process, including the United Nations Environment Programme and the Intergovernmental Oceanographic Commission, for their technical and scientific, logistical and financial support during the first cycle of the Regular Process;

273. *Emphasizes* the importance of making Governments, intergovernmental organizations, the scientific community and the general public aware of the assessment, and requests the secretariat of the Regular Process to make the assessment available on its website and on the website of the World Ocean Assessment, and to undertake other activities with the view to raising awareness of the assessment;

274. *Encourages* States, and invites relevant intergovernmental organizations to take the assessment fully into account as part of various processes, such as the Informal Consultative Process, and recognizes the supporting role of the assessment in the implementation of the 2030 Agenda for Sustainable Development;[106]

275. *Recalls* the importance of ensuring that assessments, such as those prepared under the Intergovernmental Panel on Climate Change, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services and the Regular Process, support one another and avoid unnecessary duplication, and the importance of taking into account assessments at the regional level;

276. *Notes* the views expressed by Member States, including members of the Bureau of the Ad Hoc Working Group of the Whole, observers and other participants in the Ad Hoc Working Group of the Whole, the Group of Experts and the secretariat of the Regular Process, on the lessons learned from the first cycle of the Regular Process and the need to continue the consideration of those issues during the intersessional period;

277. *Notes with appreciation* the contributions, including in-kind contributions, for workshops, the website, and support to members of the Group of Experts;

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[105] See A/70/418, para. 49 (*c*).

[106] Resolution 70/1.

278. *Also notes with appreciation* the contributions to the voluntary trust fund established pursuant to paragraph 183 of resolution 64/71 for the purpose of supporting the operations of the first five-year cycle and for the duration of the operations of the Regular Process, [107] while expressing its concern about the difficulty in raising sufficient funds for the Regular Process;

279. *Notes* the significant human and financial resource constraints under which the first cycle of the Regular Process was conducted;

280. *Recalls* the decision of the General Assembly in paragraph 177 of its resolution 64/71 that, in the first cycle, the scope of the Regular Process would focus on establishing a baseline and, in subsequent cycles, extend to the evaluation of trends;

281. *Decides* to launch the second cycle of the Regular Process;

282. *Requests* the Bureau of the Ad Hoc Working Group of the Whole to continue the consideration of lessons learned from the first cycle of the Regular Process with a view to the implementation of the second cycle, including by inviting Member States, observers and other participants in the Ad Hoc Working Group, through the Co-Chairs, to contribute by sending their views in writing to the Bureau and convening one or more informal open meetings with Member States, observers and other participants in the Ad Hoc Working Group, and requests the Bureau to inform the Ad Hoc Working Group at its seventh meeting of the views received and to circulate that information in advance of the seventh meeting;

283. *Requests* the Secretary-General to convene the seventh meeting of the Ad Hoc Working Group of the Whole from 3 to 9 August 2016, with a view to providing recommendations to the General Assembly on the follow-up to the assessment, the implementation of the second cycle of the Regular Process, including its budget and duration, and any adjustments that might be necessary in the light of lessons learned from the first cycle, including with regard to resource requirements, before the end of the seventieth session of the Assembly, and taking into full consideration the discussions on lessons learned and the way forward;

284. *Decides* that the meetings of the Ad Hoc Working Group of the Whole shall continue to be coordinated by two co-chairs, representing developing and developed countries, respectively, to be appointed by the President of the General Assembly, in consultation with regional groups, for the duration of the second cycle;

285. *Requests* the Secretary-General to review the resource requirements for the second cycle of the Regular Process and to report to Member States in advance of the seventh meeting of the Ad Hoc Working Group of the Whole;

286. *Requests* the secretariat of the Regular Process to compile, subject to budgetary considerations, an inventory of available information on recent and ongoing assessments and other processes at the regional and global levels relevant to the Regular Process, and requests the secretariat to submit it to the Bureau of the Ad Hoc Working Group of the Whole by the end of February 2016;

287. *Requests* the Secretary-General to invite the Chairs of the regional groups to constitute a group of experts, ensuring adequate expertise and geographical distribution, comprising a maximum of 25 experts, with no more than five experts per regional group, for the duration of the second cycle of the Regular

[107] See resolution 69/245, para. 278.

Process, taking into account the desirability of some degree of continuity, and in accordance with the terms of reference of the Group of Experts of the Regular Process;[108]

288. *Invites* individuals who served in the Group of Experts during the first cycle of the Regular Process to provide advice, as required, to the Bureau and the Ad Hoc Working Group of the Whole until the Group of Experts for the second cycle has been appointed;

289. *Invites* the Intergovernmental Oceanographic Commission, the United Nations Environment Programme, the International Maritime Organization, the Food and Agriculture Organization of the United Nations and other competent United Nations specialized agencies, as appropriate, to continue to provide technical and scientific support to the Regular Process;

290. *Recognizes* that United Nations specialized agencies can play an important role in promoting the Regular Process, and invites those agencies to continue to promote the Regular Process in consultation and coordination with the secretariat of the Regular Process;

291. *Urges* Member States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to make financial contributions to the voluntary trust fund and to make other contributions to the Regular Process;

XIII

Regional cooperation

292. *Notes* that there have been a number of initiatives at the regional level, in various regions, to further the implementation of the Convention, also notes in that context the Caribbean-focused Assistance Fund, which is intended to facilitate, mainly through technical assistance, the voluntary undertaking of maritime delimitation negotiations between Caribbean States, notes once again the Fund for Peace: Peaceful Settlement of Territorial Disputes, established by the General Assembly of the Organization of American States in 2000 as a primary mechanism, given its broader regional scope, for the prevention and resolution of pending territorial, land border and maritime boundary disputes, and calls upon States and others in a position to do so to contribute to these funds;

293. *Notes with appreciation* efforts at the regional level to further the implementation of the Convention and respond, including through capacity-building, to issues related to maritime safety and security, the conservation and sustainable use of living marine resources, the protection and preservation of the marine environment and the conservation and sustainable use of marine biodiversity;

294. *Welcomes* the adoption of the outcome document of the third International Conference on Small Island Developing States, entitled "SIDS Accelerated Modalities of Action (SAMOA) Pathway"[109] and the new modalities set forth for strengthened action on a range of small island developing States challenges and priorities, including challenges related to the conservation and sustainable use

[108] See A/67/87, annex III.

[109] Resolution 69/15, annex.

of marine resources, and the preservation of the marine environment, and reaffirms its commitment to work with small island developing States towards full implementation of the Samoa Pathway to ensure its success;

295. *Invites* States and international organizations to enhance their cooperation to better protect the marine environment, and in this respect welcomes the memorandum of understanding for enhanced cooperation, concluded between the Commission for the Protection of the Marine Environment of the North-East Atlantic, the North East Atlantic Fisheries Commission, the International Seabed Authority and the International Maritime Organization;

296. *Recognizes* the results of the International Polar Year, 2007–2008, with particular emphasis on new knowledge about the linkages between environmental change in the polar regions and global climate systems, and encourages States and scientific communities to strengthen their cooperation in this respect;

297. *Welcomes* regional cooperation, and in this regard notes the Pacific Oceanscape Framework as an initiative to enhance cooperation among coastal States in the Pacific island region to foster marine conservation and sustainable development;

298. *Notes with appreciation* the various cooperative efforts displayed by States at the regional and subregional levels, and in this regard welcomes initiatives, such as the Integrated Assessment and Management of the Gulf of Mexico Large Marine Ecosystem;

299. *Acknowledges* relevant cooperation among the members of the Zone of Peace and Cooperation of the South Atlantic;

300. *Notes* the decision of the Assembly of the African Union in January 2015 to adopt Agenda 2063, and notes that, on 25 July 2015, the African Union launched Decade of African Seas and Oceans (2015–2025) and observed the first annual African Day of the Seas and Oceans;

301. *Also notes* the adoption of the Vienna Programme of Action for Landlocked Developing Countries for the Decade 2014–2024 by the second United Nations Conference on Landlocked Developing Countries, held in Vienna from 3 to 5 November 2014, [110] following the comprehensive 10-year review of the implementation of the Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries, [111] and also notes the need for cooperation to address the development needs and challenges faced by landlocked developing countries associated with, inter alia, their lack of direct territorial access to the sea, remoteness and isolation from world markets, in line with the objectives of the Vienna Programme of Action;

302. *Further notes* the efforts of the Sargasso Sea Alliance, led by the Government of Bermuda, to raise awareness of the ecological significance of the Sargasso Sea;

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[110] Resolution 69/137, annex II.

[111] *Report of the International Ministerial Conference of Landlocked and Transit Developing Countries and Donor Countries and International Financial and Development Institutions on Transit Transport Cooperation, Almaty, Kazakhstan, 28 and 29 August 2003* (A/CONF.202/3), annex I.

XIV

Open-ended Informal Consultative Process on Oceans and the Law of the Sea

303. *Welcomes* the report of the Co-Chairs on the work of the Informal Consultative Process at its sixteenth meeting, which focused on the theme "Oceans and sustainable development: integration of the three dimensions of sustainable development, namely, environmental, social and economic";[6]

304. *Recognizes* the role of the Informal Consultative Process as a unique forum for comprehensive discussions on issues related to oceans and the law of the sea, consistent with the framework provided by the Convention and chapter 17 of Agenda 21,[8] and that the perspective of the three pillars of sustainable development should be further enhanced in the examination of the selected topics;

305. *Welcomes* the work of the Informal Consultative Process and its contribution to improving coordination and cooperation between States and strengthening the annual debate of the General Assembly on oceans and the law of the sea by effectively drawing attention to key issues and current trends;

306. *Also welcomes* efforts to improve and focus the work of the Informal Consultative Process, and in that respect recognizes the primary role of the Informal Consultative Process in integrating knowledge, the exchange of opinions among multiple stakeholders and coordination among competent agencies, and enhancing awareness of topics, including emerging issues, while promoting the three pillars of sustainable development, and recommends that the Informal Consultative Process devise a transparent, objective and inclusive process for the selection of topics and panellists so as to facilitate the work of the General Assembly during informal consultations concerning the annual resolution on oceans and the law of the sea;

307. *Recalls* the need to strengthen and improve the efficiency of the Informal Consultative Process, and encourages States, intergovernmental organizations and programmes to provide guidance to the Co-Chairs to this effect, particularly before and during the preparatory meeting for the Informal Consultative Process;

308. *Also recalls* that a further review of the effectiveness and utility of the Informal Consultative Process will be undertaken by the General Assembly at its seventy-first session;

309. *Requests* the Secretary-General to convene, in accordance with paragraphs 2 and 3 of resolution 54/33, the seventeenth meeting of the Informal Consultative Process, in New York from 13 to 17 June 2016, to provide it with the facilities necessary for the performance of its work and to arrange for support to be provided by the Division, in cooperation with other relevant parts of the Secretariat, as appropriate;

310. *Expresses its continued serious concern* regarding the lack of resources available in the voluntary trust fund established pursuant to resolution 55/7 for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, in attending the meetings of the Informal Consultative Process, and urges States to make additional contributions to the trust fund;

311. *Decides* that those representatives from developing countries who are invited by the Co-Chairs, in consultation with Governments, to make presentations during the meetings of the Informal Consultative Process shall receive priority consideration in the disbursement of funds from the voluntary trust fund established

pursuant to resolution 55/7 in order to cover the costs of their travel, and shall also be eligible to receive daily subsistence allowance subject to the availability of funds after the travel costs of all other eligible representatives from those countries mentioned in paragraph 310 above have been covered;

312. *Recalls* its decision in resolution 69/245 that, in its deliberations on the report of the Secretary-General on oceans and the law of the sea, the Informal Consultative Process will focus its discussions at its seventeenth meeting on the theme "Marine debris, plastics and microplastics";

XV

Coordination and cooperation

313. *Encourages* States to work closely with and through international organizations, funds and programmes, as well as the specialized agencies of the United Nations system and relevant international conventions, to identify emerging areas of focus for improved coordination and cooperation and how best to address these issues;

314. *Expresses its concern* at the desecration of graves at sea and the looting of wrecks of ships constituting such graves, and calls upon States to cooperate, as appropriate, to prevent the looting and desecration of wrecks of ships constituting graves in order to ensure that proper respect is given to all human remains located in maritime waters, consistent with international law, including, as appropriate, the 2001 Convention on the Protection of the Underwater Cultural Heritage, among parties thereto;

315. *Encourages* bodies established by the Convention to strengthen coordination and cooperation, as appropriate, in fulfilling their respective mandates;

316. *Requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies, funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, as well as funding institutions, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

317. *Welcomes* the work done by the secretariats of relevant United Nations specialized agencies, programmes, funds and bodies and the secretariats of related organizations and conventions to enhance inter-agency coordination and cooperation on ocean issues, including, where appropriate, through UN-Oceans, the inter-agency coordination mechanism on ocean and coastal issues within the United Nations system;

318. *Recognizes* the work undertaken by UN-Oceans, under the revised terms of reference for the work of UN-Oceans, and with the United Nations Legal Counsel/Division for Ocean Affairs and the Law of the Sea as the focal point of UN-Oceans, and, as an interim measure, in this regard, invites Member States and others in a position to do so to make financial earmarked contributions to the trust fund established by the Secretary-General for the Office of Legal Affairs to support the promotion of international law, and authorizes the Secretary-General to disburse funds from such contributions to that trust fund for the purposes of the development and maintenance of an online searchable database for an inventory of the mandates of UN-Oceans members and priorities approved by the respective governing bodies of the participating organizations of UN-Oceans, with a view to identifying possible

areas of collaboration and synergy, as well as for travel associated with the performance of the functions of the focal point;

319. *Reaffirms* its decision to review the terms of reference for the work of UN-Oceans at its seventy-second session in the light of the work of UN-Oceans;

XVI

Activities of the Division for Ocean Affairs and the Law of the Sea

320. *Expresses its appreciation* to the Secretary-General for the annual report on oceans and the law of the sea, prepared by the Division, as well as for the other activities of the Division, which reflect the high standard of assistance provided to Member States by the Division;

321. *Notes with satisfaction* the seventh observance by the United Nations of World Oceans Day in 2015,[112] recognizes with appreciation the efforts deployed by the Division in organizing its celebration, and invites the Division to continue to promote and facilitate international cooperation on the law of the sea and ocean affairs in the context of the future observance of World Oceans Day, as well as through its participation in other events;

322. *Recalls* the responsibilities and functions entrusted to the Secretary-General in the Convention and in the related resolutions of the General Assembly, including resolutions 49/28 and 52/26, notes the increased number of requests to the Division for additional outputs and servicing of meetings in resolution 69/292 and in relation to the support to be provided by the Division as secretariat of the Regular Process during the second cycle of the Regular Process, and requests the Secretary-General to make proposals in the context of the 2016–2017 budget in order to strengthen the capacity of the Division, including through the redeployment of existing resources, and to ensure that it can carry out the functions in resolution 69/292 and as the secretariat of the Regular Process in an efficient manner;

323. *Requests* the Secretary-General to continue the publication activities of the Division, in particular through the publication of *The Law of the Sea: A Select Bibliography* and the *Law of the Sea Bulletin*;

XVII

Seventy-first session of the General Assembly

324. *Requests* the Secretary-General to prepare a comprehensive report for consideration by the General Assembly at its seventy-first session on developments and issues relating to ocean affairs and the law of the sea, including the implementation of the present resolution, in accordance with resolutions 49/28, 52/26 and 54/33, and to prepare a separate section of the report on the topic that is the focus of the seventeenth meeting of the Informal Consultative Process;

325. *Emphasizes* the critical role of the annual report of the Secretary-General, which integrates information on developments relating to the implementation of the Convention and the work of the Organization, its specialized agencies and other institutions in the field of ocean affairs and the law of the sea at the global and regional levels, and as a result constitutes the basis for the annual

[112] By its resolution 63/111, the General Assembly designated 8 June as World Oceans Day.

consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review;

326. *Notes* that the report referred to in paragraph 324 above will also be submitted to States Parties pursuant to article 319 of the Convention regarding issues of a general nature that have arisen with respect to the Convention;

327. *Also notes* the desire to further improve the efficiency of and effective participation of delegations in the informal consultations concerning the annual General Assembly resolution on oceans and the law of the sea, decides that the period of the informal consultations on that resolution should not exceed a maximum of two weeks in total and that the consultations should be scheduled in such a way that the Division has sufficient time to produce the report referred to in paragraph 324 above, and invites States to submit text proposals for inclusion in the resolution to the Coordinator of the informal consultations at the earliest possible date;

328. *Decides* to include in the provisional agenda of its seventy-first session the item entitled "Oceans and the law of the sea".

82nd plenary meeting
23 December 2015

Annex

Amendments to annex II to General Assembly resolution 55/7: Trust Fund for the purpose of facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the United Nations Convention on the Law of the Sea

Terms of reference, guidelines and rules

2. Objects and purpose of the Trust Fund

In paragraph 9, amend the last sentence to read:

"The object of the Fund is to enable developing States, in particular, the least developed coastal countries and small island developing States, to make an initial assessment of their particular case, make appropriate plans for further investigations and data acquisition, to prepare the final submission documents when the necessary data have been acquired, and to meet with the Commission when it is considering their submission upon the Commission's invitation."

4. Application for financial assistance

In paragraph 16, insert the following subparagraph after subparagraph (*d*):

"(*d bis*) Air travel and daily subsistence allowance for up to three members of a delegation when the Commission or relevant subcommission has invited that delegation to attend its meeting or session, except in cases where a joint submission of three or more States is being considered, for which a maximum of six members total of such a joint delegation may receive assistance;"

In paragraph 17, insert the following sub-paragraph after subparagraph (*d*):

"(*d bis*) *Air travel and daily subsistence allowance when the Commission or relevant subcommission has invited a delegation to attend its meeting or session*

The application shall be accompanied by:

(i) A copy of the communication from the Commission inviting the State to attend its meeting or session;

(ii) A communication from the requesting Government(s) nominating the delegate(s) who will attend a meeting or session of the Commission or subcommission, and indicating the dates during which each delegate(s) will be required to attend such meeting or session;

(iii) A copy of the passport information page and information on the telephone number and email address for each delegate nominated to attend a meeting or session."

5. Consideration of applications

Amend paragraph 21 to read:

"21. In considering the application, the Division shall consider applications in the order in which they are received by the Division and be guided by the financial needs of the requesting developing State and availability of funds, with priority given to least developed countries and small island developing States."